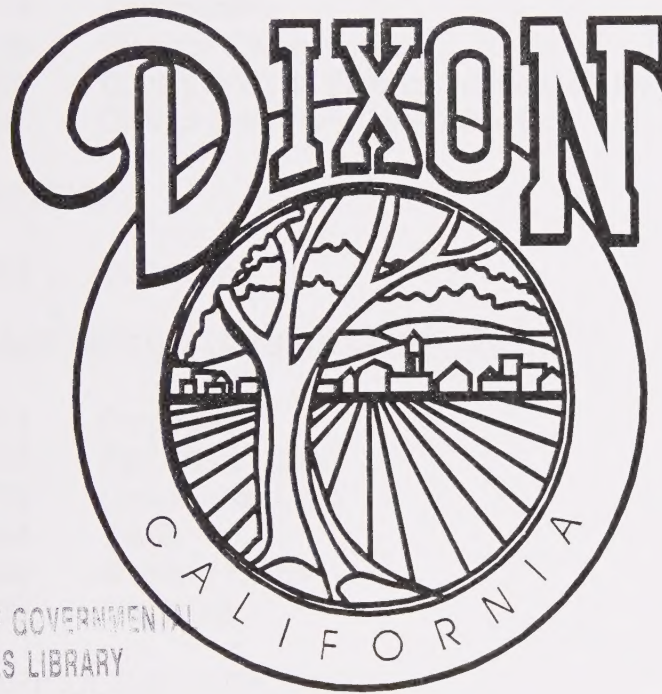


City of Dixon
The Zoning Ordinance



INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

JUN 17 1998

UNIVERSITY OF CALIFORNIA

Adopted by the City Council
on April 13, 1982

Updated April 8, 1998

City of Dixon Zoning Ordinance

Updated July 17, 1991

TABLE OF CONTENTS

	<u>SECTION</u>	<u>PAGE</u>
12.01	IN GENERAL	1-1
	12.01.01 Objectives of the Zoning Ordinance	
	12.01.02 Nature of the Zoning Ordinance	
	12.01.03 Interpretation	
	12.01.04 Applicability	
	12.01.05 Districts Established	
	12.01.06 Consistency of Zoning Ordinance with the General Plan	
	12.01.07 District Boundary Determinations	
12.02	DEFINITIONS	2-1
	12.02.01 Definitions	
12.03	T = TEMPORARILY UNCLASSIFIED DISTRICT	3-1
	12.03.01 Purposes	
	12.03.02 Permitted Uses	
	12.03.03 Conditional Uses	
	12.03.04 Yards	
	12.03.05 Building Height	
	12.03.06 Site Area	
12.04	A = AGRICULTURAL DISTRICT	4-1
	12.04.01 Purposes	
	12.04.02 Permitted Uses	
	12.04.03 Conditional Uses	
	12.04.04 Screening and Landscaping	
	12.04.05 Performance Standards	
	12.04.06 Site Area and Site Area per Dwelling Unit	
	12.04.07 Coverage, Front Yard, Side Yard, Rear Yard	
	12.04.08 Height of Structures	
	12.04.09 Distance Between Structures	
	12.04.10 Signs	
	12.04.11 Off-Street Parking and Loading Facilities	
	12.04.12 Design Review	
	12.04.13 General Provisions and Exceptions	

- 12.05.01 Purposes
- 12.05.02 Permitted Uses
- 12.05.03 Conditional Uses
- 12.05.04 Screening and Landscaping
- 12.05.05 Site Area
- 12.05.06 Frontage, Width and Depth of Site
- 12.05.07 One Dwelling Unit Per Site
- 12.05.08 Coverage
- 12.05.09 Front Yard
- 12.05.10 Side Yard
- 12.05.11 Rear Yard
- 12.05.12 Height of Structure
- 12.05.13 Distances Between Structures
- 12.05.14 Signs
- 12.05.15 Off-Street Parking and Loading Facilities
- 12.05.16 General Provisions and Exceptions
- 12.05.17 Design Review

- 12.06.01 Purposes
- 12.06.02 Permitted Uses
- 12.06.03 Conditional Uses
- 12.06.04 Screening and Landscaping
- 12.06.05 Performance Standards
- 12.06.06 Site Area and Site Area per Dwelling Unit
- 12.06.07 Frontage, Width and Depth of Site
- 12.06.08 Coverage
- 12.06.09 Front Yard
- 12.06.10 Side Yard
- 12.06.11 Rear Yard
- 12.06.12 Height of Structures
- 12.06.13 Distances between Structures
- 12.06.14 Signs
- 12.06.15 Off-Street parking and Loading Facilities
- 12.06.16 General Provisions and Exceptions
- 12.06.17 Design Review

-C DISTRICTS-

- 12.07.01 Purpose
- 12.07.02 Permitted Uses
- 12.07.03 Conditional Uses
- 12.07.04 Screening and Landscaping

- 12.07.05 Coverage
- 12.07.06 Front Yard
- 12.07.07 Side Yard
- 12.07.08 Rear Yard
- 12.07.09 Site Area
- 12.07.10 Height of Structures
- 12.07.11 Off-Street Parking
- 12.07.12 Design Review
- 12.07.13 Performance Standards

12.08 CN = NEIGHBORHOOD COMMERCIAL DISTRICT 8-1

- 12.08.01 Purposes
- 12.08.02 Permitted Uses
- 12.08.03 Conditional Uses
- 12.08.04 Screening and Landscaping
- 12.08.05 Required Conditions
- 12.08.06 Performance Standards
- 12.08.07 Required Yards
- 12.08.08 Maximum Lot Size
- 12.08.09 Height of Structures
- 12.08.10 Signs
- 12.08.11 Off-Street Parking and Loading Facilities
- 12.08.12 Design Review
- 12.08.13 General Provisions and Exceptions

12.09 CC = CENTRAL COMMERCIAL DISTRICT 9-1

- 12.09.01 Purposes
- 12.09.02 Permitted Uses
- 12.09.03 Conditional Uses
- 12.09.04 Screening and Landscaping
- 12.09.05 Performance Standards
- 12.09.06 Required Yards
- 12.09.07 Height Structures
- 12.09.08 Signs
- 12.09.09 Off-Street Parking and Loading Facilities
- 12.09.10 Design Review
- 12.09.11 General Provisions and Exceptions

12.10 CH = HIGHWAY COMMERCIAL DISTRICT 10-1

- 12.10.01 Purposes
- 12.10.02 Permitted Uses
- 12.10.03 Conditional Uses
- 12.10.04 Screening and Landscaping
- 12.10.05 Performance Standards
- 12.10.06 Yards

- 12.10.07 Minimum Lot Size
- 12.10.08 Height of Structure
- 12.10.09 Signs
- 12.10.10 Off-Street Parking and Loading Facilities
- 12.10.11 Design Review
- 12.10.12 General Provisions and Exceptions

12.11 CS = SERVICE COMMERCIAL DISTRICT 11-1

- 12.11.01 Purposes
- 12.11.02 Permitted Uses
- 12.11.03 Conditional Uses
- 12.11.04 Screening and Landscaping
- 12.11.05 Performance Standards
- 12.11.06 Yards
- 12.11.07 Minimum Lot Size
- 12.11.08 Height of Structures
- 12.11.09 Signs
- 12.11.10 Off-Street Parking and Loading Facilities
- 12.11.11 Design Review
- 12.11.12 General Provisions and Exceptions

12.12 PMU = PLANNED MIXED USE DISTRICT 12-1

- 12.12.01 Purposes
- 12.12.02 Permitted Uses
- 12.12.03 Conditional Uses
- 12.12.04 Screening and Landscaping
- 12.12.05 Performance Standards
- 12.12.06 Yards
- 12.12.07 Minimum Lot Size
- 12.12.08 Height of Structure
- 12.12.09 Signs
- 12.12.10 Off-Street Parking and Loading Facilities
- 12.12.11 Design Review
- 12.12.12 General Provisions and Exceptions

12.12A PMR = PLANNED MULTIPLE RESIDENTIAL DISTRICT 12-4

- 12.12A.01 Purposes
- 12.12A.02 Permitted Uses
- 12.12A.03 Conditional Uses
- 12.12A.04 Screening and Landscaping
- 12.12A.05 Performance Standards
- 12.12A.06 Site Area and Site Area per Dwelling Unit
- 12.12A.07 Frontage, Width and Depth of Site
- 12.12A.08 Coverage
- 12.12A.09 Front Yard

- 12.12A.10 Side Yard
- 12.12A.11 Rear Yard
- 12.12A.12 Height of Structures
- 12.12A.13 Distances Between Structures
- 12.12A.14 Special Setbacks and Distances Between Buildings
- 12.12A.15 Density Bonuses
- 12.12A.16 Signs
- 12.12A.17 Off-Street Parking and Loading Facilities

- M INDUSTRIAL DISTRICTS -

12.13 ML = LIGHT INDUSTRIAL DISTRICT 13-1

- 12.13.01 Purposes
- 12.13.02 Permitted Uses
- 12.13.03 Conditional Uses
- 12.13.04 Screening and Landscaping
- 12.13.05 Performance Standards
- 12.13.06 Site Area
- 12.13.07 Coverage
- 12.13.08 Yards
- 12.13.09 Height of Structures
- 12.13.10 Signs
- 12.13.11 Off-Street Parking and Loading Facilities
- 12.13.12 Design Review
- 12.13.13 General Provisions and Exceptions

12.14 MH = HEAVY INDUSTRIAL DISTRICT 14-1

- 12.14.01 Purposes
- 12.14.02 Permitted Uses
- 12.14.03 Conditional Uses
- 12.14.04 Screening and Landscaping
- 12.14.05 Performance Standards
- 12.14.06 Site Area
- 12.14.07 Coverage
- 12.14.08 Yards
- 12.14.09 Height of Structures
- 12.14.10 Signs
- 12.14.11 Off-Street parking and Loading Facilities
- 12.14.12 Design Review
- 12.14.13 General Provisions and Exceptions

12.15 PLANNED DEVELOPMENT (P-D) DISTRICT 15-1

- 12.15.01 Purposes
- 12.15.02 Applicability
- 12.15.03 Regulations Established

12.15.04	Initiation of Zoning Change
12.15.05	Procedure for Applying for District Generally
12.15.06	Contents and Approval of Preliminary Application
12.15.07	Permitted Uses Prior to Approval of Final Application
12.15.08	Final Application - Submission
12.15.09	Final Application - Approval
12.15.10	Time Limit on Planning Development
12.15.11	Planning Commission Review and Findings
12.15.12	When Deemed Established; Designation on Zoning Map
12.15.13	Permitted Uses
12.15.14	Height, Area, Lot and Yard Requirements
12.15.15	Revisions in Final Planned Development Application

12.16	GENERAL PROVISIONS AND EXCEPTIONS	16-1
-------	-----------------------------------	------

12.16.01	Conformity with District Regulations
12.16.02	Use of Nonconforming Sites
12.16.03	Yard Spaces
12.16.04	Coverage - Measurement
12.16.05	Minimum Yard Requirements - Measurement
12.16.06	Yard Requirements - Exceptions
12.16.07	Height Limitations - Measurement
12.16.08	Height Limitations - Exceptions
12.16.09	Determination of Permitted Use
12.16.10	Secondary Living Units

12.17	PLANNING UNIT DEVELOPMENTS	17-1
-------	----------------------------	------

12.17.01	Purposes
12.17.02	Planned Unit Development Permit
12.17.03	Submission and Review of Planning Unit Development Permit Application
12.17.04	Concept Plan Review
12.17.05	Concept Plan Review Conference
12.17.06	Determination of Environmental Effect
12.17.07	Development Plan Review
12.17.08	Development Plan
12.17.09	Development Plan Review Conference
12.17.10	Environmental impact Report
12.17.11	Planning Commission Decision
12.17.12	Revised Development Plan Review
12.17.13	Revocation and Expiration of Development Permit
12.17.14	Extensions of Time
12.17.15	Appeals
12.17.16	General Development Standards
12.17.17	Permitted Uses
12.17.18	Setbacks and Spacing Between Buildings
12.17.19	Density

- 12.17.20 Required Open Space and Recreation Facilities
- 12.17.21 Circulation and Access
- 12.17.22 Applicability of General Regulations

12.18 ACCESSORY AND TEMPORARY USE REGULATIONS 18-1

- 12.18.01 Title and Purpose
- 12.18.02 Accessory Uses Encompassed by Principal Uses
- 12.18.03 Accessory Uses Subject to Controls
- 12.18.04 Specific Accessory Uses and Standards
- 12.18.05 Identification of Permitted Temporary Uses
- 12.18.06 Location of Temporary Uses
- 12.18.07 Administrative Permit Required
- 12.18.08 Construction Office
- 12.18.09 Existing Building
- 12.18.10 Animal Husbandry and Agricultural Education Projects
- 12.18.11 Christmas Tree Sales
- 12.18.12 Mobile Home as Accessory Use
- 12.18.13 Mobile Unit or Structure used for Commercial Purposes
- 12.18.14 Agricultural Products Stands
- 12.18.15 Religious and Entertainment Assembly

12.19 DESIGN REVIEW COMMISSION 19-1

- 12.19.01 Finding of Existence of Certain Conditions
- 12.19.02 Public and Private Injury Due to the Existence of Certain Conditions
- 12.19.03 Declaration of Purpose
- 12.19.04 Creation of Design Review Commission
- 12.19.05 Term of Office
- 12.19.06 Removal or Vacancy
- 12.19.07 Time of Regular Meetings
- 12.19.08 Appointment of Officers
- 12.19.09 Staff
- 12.19.10 Adoption of Rules
- 12.19.11 Commission Records
- 12.19.12 Quorum
- 12.19.13 Duties of Officers
- 12.19.14 Duty of Design Review Commission to Review Plans Prior to Application for Building Permit
- 12.19.15 Design Review for Single Family Dwellings
- 12.19.16 Application for Design Review
- 12.19.17 Review Procedures
- 12.19.18 Application for Building Permit
- 12.19.19 Functions of Design Review Commission
- 12.19.20 Principles to be Followed
- 12.19.21 Single Family Residential Design Standards
- 12.19.22 Commission May Impose Conditions

- 12.19.23 Procedure Upon Disapproval of Application
- 12.19.24 Lapse of Approval
- 12.19.25 Appeal From Decision of Design Review Commission

12.20 SIGNS 20-1

- 12.20.01 Purposes
- 12.20.02 Permits
- 12.20.03 General Provisions
- 12.20.04 Signs in Agricultural Districts
- 12.20.05 Signs in Residential Districts
- 12.20.06 Signs in Commercial, Professional Office, and Planned Mixed Use Districts
- 12.20.07 Signs in Industrial Districts
- 12.20.08 Temporary Subdivision Signs

12.21 CONDITIONAL USES 21-1

- 12.21.01 Purposes
- 12.21.02 Powers of City Planning Commission
- 12.21.03 Application and Fee
- 12.21.04 Public Hearing - Notice
- 12.21.05 Public Hearing - Procedure
- 12.21.06 Investigation and Report
- 12.21.07 Action by City Planning Commission
- 12.21.07.01 Criteria for Secondary Living Units
- 12.21.07.02 Criteria for Multi Tenant Freeway Oriented Signs
- 12.21.08 Review by City Council
- 12.21.09 Lapse of Use Permit
- 12.21.10 Pre-Existing Conditional Uses
- 12.21.11 Grounds for Revocation of Suspension
- 12.21.12 Procedure for Revocation, Suspension or Modification
- 12.21.13 Use Permit to Run With the Land
- 12.21.14 Notion on Zoning Map
- 12.21.15 New Application
- 12.21.16 Appeals

12.22 VARIANCES 22-1

- 12.22.01 Purposes
- 12.22.02 Powers Of City Planning Commission
- 12.22.03 Application and Fee
- 12.22.04 Hearing and Notice
- 12.22.05 Public Hearing - Procedure
- 12.22.06 Investigation and Report
- 12.22.07 Action of City Planning Commission
- 12.22.08 Appeal to City Council
- 12.22.09 lapse of Variance

	12.22.10	Revocation, Suspension or Modification, Grounds and Procedures	
	12.22.11	New Application	
12.23		OFF-STREET PARKING	23-1
	12.23.01	Purposes	
	12.23.02	Off-Street Parking Facilities Required	
	12.23.03	Computation or Required Spaces	
	12.23.04	Joint Use of Parking Areas	
	12.23.05	Municipal Parking Assessment District	
	12.23.06	Properties in the C-C Central Commercial District	
	12.23.07	Schedule of Off-Street Parking Space Requirements	
	12.23.08	Standards for Off-Street parking Facilities	
	12.23.09	Location of Off-Street Parking Facilities	
	12.23.10	Off-Street Loading Facilities Required	
	12.23.11	Schedule of Off-Street Loading Berth Requirements	
	12.23.12	Standards for Off-Street Loading Facilities	
	12.23.13	Location of Off-Street Loading Facilities	
	12.23.14	Existing Uses	
	12.23.15	Reduction of Off-Street Parking and Loading Facilities	
	12.23.16	Off-Street Parking and Loading Facilities to Serve One Use	
	12.23.17	Designation of Off-Street Parking and Loading Facilities	
12.24		PERFORMANCE STANDARDS	24-1
	12.24.01	Applicability	
	12.24.02	Dangerous or Objectionable Elements Prohibited	
	12.24.03	Noise Performance Standards	
	12.24.04	Noise Performance Standards - Correction Factors	
	12.24.05	Noise Performance Standards - Exceptions	
	12.24.06	Noise Level Measurement	
	12.24.07	Air Pollution Performance Standards	
	12.24.08	Vibration Performance Standards	
	12.24.09	Humidity, Heat, Cold, and Glare Performance Standards	
	12.24.10	Fire and Explosion Hazards	
	12.24.11	Radioactivity or Electric Disturbance	
	12.24.12	Liquid or Solid Wastes	
	12.24.13	Performance Standards Procedure	
	12.24.14	Enforcement	
	12.24.15	Appeal	
12.25		HOME OCCUPATIONS	25-1
	12.25.01	Title and Purpose	
	12.25.02	Regulations	
	12.25.03	Permit Required	
	12.25.04	Application Procedure and Fee	

- 12.25.05 Time Limit
- 12.25.06 Revocation and Review
- 12.25.07 Reapplication
- 12.25.08 Exclusions
- 12.25.09 Temporary Subdivision Sales Office

12.26 SCREENING AND LANDSCAPING REGULATIONS 26-1

- 12.26.01 Title and Purpose
- 12.26.02 Safety Standards Applicable to Required Screening and Landscaping
- 12.26.03 Required Screening
- 12.26.04 Standard Applicable to Required Screening
- 12.26.05 Height Standards Applicable to Required Screening
- 12.26.06 Measurement of Height of Screening
- 12.26.07 Required Landscaping
- 12.26.08 Special Regulations Applicable to Landscaping Along Designated Scenic Highway
- 12.26.09 Standards Applicable to required Landscaping

12.27 ENERGY AND WATER CONSERVATION REGULATIONS 27-1

- 12.27.01 Title and Purpose
- 12.27.02 Energy Conservation Guidelines
- 12.27.03 Water Conservation Guidelines

12.28 APPEALS 28-1

- 12.28.01 Purpose of Appeals
- 12.28.02 Filing Written Notice of Appeal; Appeals by City Council Members
- 12.28.03 Scheduling of Appeals
- 12.28.04 Fees
- 12.28.05 Appeal to Stay All Proceedings
- 12.28.06 Submission of Record of Action of Administrative Officer or Advisory Body
- 12.28.07 Notification
- 12.28.08 Public Hearing Generally
- 12.28.09 Notice of Public Hearing
- 12.28.10 Findings of City Council
- 12.28.11 Action of City Council

12.29 NONCONFORMING USES AND STRUCTURES 29-1

- 12.29.01 Purposes
- 12.29.02 Continuation and Maintenance
- 12.29.03 Alterations and Additions to Nonconforming Uses
- 12.29.04 Alterations and Additions to Nonconforming Structures

- 12.29.05 Change of Use
- 12.29.06 Abandonment of Nonconforming Use
- 12.29.07 Restoration of a Damaged Structure

12.30 AMENDMENTS 30-1

- 12.30.01 Purposes
- 12.30.02 Initiation
- 12.30.03 Application and Fee
- 12.30.04 Public Hearing - Notice
- 12.30.05 Hearing
- 12.30.06 Investigation and Report
- 12.30.07 Action of City Planning Commission
- 12.30.08 Action of City Council
- 12.30.09 Change of Zoning Map
- 12.30.10 New Application
- 12.30.11 Annexed and Unzoned Territory

12.31 PREZONING 31-1

- 12.31.01 Authorized
- 12.32.02 Initiation; Application Fee
- 12.32.03 Application
- 12.31.04 Public Hearing; Recommendations of Planning Commission
- 12.31.05 Action of City Council

12.32 ENFORCEMENT 32-1

- 12.32.01 Permits, Certificates and Licenses
- 12.32.02 Enforcement
- 12.32.03 Citations
- 12.32.04 Violations - Penalties
- 12.32.05 Voidable Conveyances

12.33 ENACTMENT 33-1

- 12.33.01 Constitutionality

Appendix B

Zoning

12.01 IN GENERAL

Sections:

12.01.01	Objectives of the Zoning Ordinance
12.01.02	Nature of the Zoning Ordinance
12.01.03	Interpretation
12.01.04	Applicability
12.01.05	Districts Established
12.01.06	Consistency of Zoning Ordinance with Dixon General Plan
12.01.07	District Boundary Determinations

12.01.01 Objectives of the Zoning Ordinance

The Zoning Ordinance is adopted to protect and promote public health, safety, peace, comfort, convenience, prosperity, and general welfare. More specifically, the Zoning Ordinance is adopted in order to achieve the following objectives:

- A. To provide a guide for the physical development of the City and to achieve the land uses depicted in the General Plan Land Use Diagram and to foster implementation of other goals and policies of the General Plan dealing with land use, urban design, environmental protection, and public health and safety.
- B. To foster a harmonious, convenient, workable relationship among land uses.
- C. To promote the stability of existing land uses which conform with the General Plan and to protect them from inharmonious influences and harmful intrusions.
- D. To ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial from the stand point of the City.
- E. To prevent excessive population densities and overcrowding of the land with structures.
- F. To promote a safe, effective traffic circulation system.

- G. To foster the provision of adequate off-street parking and truck-loading facilities.
- H. To facilitate the appropriate location of community facilities and institutions.
- I. To promote commercial and industrial activities in order to strengthen the City's tax base.
- J. To protect and enhance real property values.
- K. To safeguard and enhance the appearance of the City.
- L. To assist in meeting the housing needs of Dixon.

12.01.02 Nature of the Zoning Ordinance

- A. The Zoning Ordinance shall consist of a zoning map designating certain districts and a set of regulations controlling the uses of land; the density of population; the uses and locations of structures; the open spaces about structures; the appearance of certain uses and structures; the areas and dimensions of sites; the location, size and illumination of signs; and requiring the provision of off-street parking and off-street loading facilities.
- B. The provisions of the Zoning Ordinance shall not be deemed or construed to repeal, amend, modify, alter or change any other ordinance or any other part thereof not specifically repealed, amended, modified, altered or changed herein. When provisions of the Zoning Ordinance are more restrictive than other ordinances or parts thereof the Zoning Ordinance shall be applicable. When the Zoning Ordinance is not more restrictive, each such other ordinance shall remain in force and effect.
- C. Except as otherwise specifically provided, no provision of the Zoning Ordinance shall be construed as relieving any party to whom a use permit, variance or zoning permit is issued from any other provision of state or federal law or from any provision, ordinance, rule or regulation of the City requiring a license, franchise or permit to accomplish, engage in, carry on or maintain a particular business, enterprise, occupation, transaction or use. However no such license, franchise or permit shall be issued until there is compliance with the provisions of the Zoning Ordinance.
- D. The Zoning Ordinance is not intended to abrogate, annul, impair or interfere with any deed restriction, covenant, easement or other agreement between parties, provided that where the Zoning Ordinance imposes a greater restriction on the use of land or structures or the height or bulk of structures, or requires greater open spaces about structures or greater areas or

dimensions of sites than is imposed or required by deed restriction, covenant, easement or other agreement, the Zoning Ordinance shall control.

12.01.03 **Interpretation**

In their interpretation and application, the provisions of the Zoning Ordinance shall be held to be minimum requirements. The Planning Commission shall have the power to hear and decide appeals when it is alleged by the appellant that there is an error in any order, requirement, permit, decision or determination made by the Planning Director in the enforcement or administration of the Zoning Ordinance.

Such appeal shall be processed as described in Section 12.28.

12.01.04 **Applicability**

The Zoning Ordinance shall apply to all property except public streets, whether owned by private persons, firms, corporations or organizations; by the United States of America or any of its agencies; by the state or any of its agencies or political subdivisions; by any city or county; including the City of Dixon or any of its agencies; or by any authority or district organized under the laws of the state. Such applicability shall be to the full extent that they may now or hereafter be enforceable in connection with the activities of any public agency or organization.

12.01.05 **Districts Established**

The districts established by the Zoning Ordinance shall be as follows:

T	Temporarily Unclassified District
A	Agricultural Districts
RI	One Family District
	R-1-7000
	R-1-10000
	R-1-20000
RM	Multiple Family Districts
	RM-1, RM-2
PAO	Professional & Administrative Office District
CN	Neighborhood Commercial District
CC	Central Commercial District
CH	Highway Commercial District
PMU	Planned Mixed Use District
CS	Commercial Service District
ML	Light Industrial District
MH	Heavy Industrial District
PS	Public Service
PD	Planned Development District

12.01.06 **Consistency of Zoning Ordinance with Dixon General Plan**

All actions, approvals and procedures taken in regard to the Zoning Ordinance shall be consistent with the Dixon General Plan. In the event the Zoning Ordinance becomes inconsistent with the Dixon General Plan by reason of the adoption of a new plan, or by amendment of the existing plan or any of its elements, the Zoning Ordinance shall be amended within a reasonable time so that it is consistent with the newly adopted plan or remains consistent with the existing plan as amended. Accordingly, all Zoning Ordinance amendments shall be consistent with the Dixon General Plan.

12.01.07 **District Boundary Determinations**

Wherever any uncertainty exists as to the boundary of a district as shown on the zoning map, the following regulations shall control:

- A. Where a boundary line is indicated as following a street or alley, it shall be construed as following the right of way line thereof.
- B. Where a boundary line follows or coincides approximately with a lot line or a property ownership line, it shall be construed as following the lot line or property ownership line.
- C. Where a boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, the boundary line shall be determined by the use of the scale designated on the zoning map.
- D. Where further uncertainty exists, the City Planning Commission, upon written application or on its own motion, shall determine the location of the boundary in question, giving due consideration to the location indicated on the zoning map and the objectives of the Zoning Ordinance and the purposes set forth in the district regulations.

12.02 DEFINITIONS

Sections:

12.02.01 Definitions

12.02.01 Definitions

For the purposes of this ordinance, certain words and terms used herein are defined as follows:

- A. All words in the present tense shall include the future tense. All words in the singular number shall include the plural number, and all words in the plural number shall include the singular number, unless the natural construction of the wording indicates otherwise.
- B. The word "shall" is mandatory and not directory.
- C. The word "city" shall mean the City of Dixon, Solano County, California. The words "city council" and "council" shall mean the City Council of the City of Dixon. The words "planning commission" and "commission" shall mean the Planning Commission duly appointed by the City Council.
- D. Definitions:
 - 1. **ALLEY.** A public way permanently reserved primarily for a vehicular service access to the rear or side of properties otherwise abutting on a street.
 - 2. **ALTER.** Any change, addition or modification in construction.
 - 3. **BLOCK.** The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right of way, unsubdivided land or watercourse.
 - 4. **BREEZEWAY.** A structure for the principal purpose of connecting the main structure in a site with another main structure or an accessory structure on the same site, not exceeding 14 feet in height.
 - 5. **"C" DISTRICTS.** "C" Districts means any CN, PAO, CC, CS, or CH zone districts.
 - 6. **BUILDING.** Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels of

property of any kind.

7. **CUL-DE-SAC.** A turn-around bulb at the end of a street.
8. **COMMUNICATION EQUIPMENT BUILDING.** A structure containing communication equipment.
9. **DEPTH, LOT.** The horizontal distance between the front and rear property lines of site measured along a line connecting the midpoint of the front and rear property lines.
10. **DRIVEWAY.** A private road, the use of which is limited to persons residing or working on the site and their invitee, licensees, and business visitors, which provides access to off-street parking or loading facilities.
11. **DWELLING GROUPS.** A group of two or more detached or semi-detached one family, two family, or multi family dwellings occupying a parcel of land in one ownership, and having any yard or court in common.
12. **DWELLING, MULTIPLE.** A building designed or used for two or more dwelling units.
13. **DWELLING UNIT.** One or more rooms and a single kitchen, designed for occupancy by one family for living, sleeping, cooking and eating purposes.
14. **FAMILY.** An individual or two or more persons related by blood or marriage, or a group of not more than five persons, not including servants, who need not be related by blood or marriage, living as a single housekeeping unit.
15. **FARM EMPLOYEE HOUSING.** Living quarters, including dwelling, sleeping accommodations and dining facilities, maintained for occupancy by persons employed principally in farming and related pursuits on land owned, leased or rented by the owner, lessee or tenant of the site on which the farm employee housing is located; excepting a camp, a labor camp and trailer park as defined in this section. For purposes of this definition, a family consisting of two or more persons related by blood or marriage shall be deemed a person.
16. **FLOOR AREA** (to be used for parking determination only). The total horizontal area in square feet on each floor within the exterior walls of

a structure but not including the area of inner courts, shaft enclosures or exterior walls. "Floor area", in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, commercial processing or packaging of merchandise.

17. **FRONTAGE.** The property line of a site abutting on a street, other than the side line of a corner lot.
18. **GARAGE OR CAR PORT.** An accessory structure or a portion of a main structure, having a permanent roof, and designed for the storage of motor vehicles.
19. **GARAGE, REPAIR.** A structure or part thereof where motor vehicles are repaired or painted.
20. **GARAGE, STORAGE.** A structure or part thereof used for the storage, parking or servicing of motor vehicles but not for the repair thereof.
21. **HOME OCCUPATION.** The conduct of an art or profession, the offering of a service or the conduct of a business, or the handcraft manufacture of products in a dwelling in accord with the regulations prescribed in section 12.25.
22. **JUNK YARD.** A site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, housewrecking yards, used lumber yards and the like; excepting a site on which such uses are conducted within a completely enclosed structure and excepting motor vehicle wrecking yards as defined in this section. An establishment for the sale, purchase or storage of used cars or salvaged machinery in operable condition and the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junk yard.
23. **LABOR CAMP.** Living quarters including dwellings, tents, bunkhouses, trailer coaches or other housing accommodations, maintained in connection with any work or place where work is being performed and the site on which they are located, and/or a site set

aside and provided for camping of five or more employees by a labor contractor; excepting farm employee housing as defined in this section.

24. **LODGINGHOUSE.** A dwelling in which lodging or lodging and meals are provided for compensation for more than three but not more than fifteen persons other than members of the resident family, excepting a nursing home as defined in this section.
25. **LOT.** A site, as defined in section 12.02.01 D. 46.
26. **LOT, CORNER.** A site bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.
27. **LOT, DOUBLE FRONTAGE.** An interior lot having frontage on two parallel or approximately parallel streets.
28. **LOT, INTERIOR.** A lot other than corner lot.
29. **LOT, KEY.** The first interior lot to the rear of a reversed corner lot.
30. **LOT, REVERSED CORNER.** A corner lot the side line of which is substantially a continuation of the front property line of the first lot to its rear.
31. **LOT, LINE FRONT.** As to an interior lot, a line separating the lot from the street right of way. As to a corner lot, a line separating the lot from that street which the owner designates as the front of the lot. Once such designation is made, it cannot be changed unless all requirements for yard space are met.
32. **MOBILE HOME PARK.** A site or portion of a site which is used or intended to be used by persons living in trailer coaches on a permanent or a transient basis, excepting a camp, farm employee housing or a labor camp as defined in this section.
33. **MOTEL OR HOTEL.** A structure or portion thereof or a group of attached or detached structures containing individual guest rooms, suites or dwelling units, where lodging is provided primarily for transients for compensation.
34. **MOTOR VEHICLE WRECKING YARD.** A site or portion of a site on which the dismantling or wrecking of used vehicles, whether self-propelled or not, or the storage, sale or dumping of dismantled or

wrecked vehicles or their parts is conducted. The presence on a site of a motor vehicle which has not been capable of operating under its own power for thirty days or more shall constitute prima facie evidence of a motor vehicle wrecking yard.

- 35. **NURSERY SCHOOL.** A school for five or more pre-elementary school age children, or a site or portion of a site used for a group day-care program for five or more children other than those resident on the site, including a day nursery play group or after-school group.
- 36. **NURSING HOME.** A structure operated as a lodginghouse in which nursing, dietary and other personal services are rendered to convalescents, invalids or aged persons not suffering from contagious or mental disease, alcoholism or drug addiction, and in which surgery is not performed and primary treatment is not provided; including a convalescent home or a rest home.
- 37. **OCCUPANCY.** The purpose for which a building or portion of a building is used or intended to be used. The term also includes the building or room housing such use.
- 38. **OFF-STREET LOADING FACILITIES.** A site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas.
- 39. **OFF-STREET PARKING FACILITIES.** A site or of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.
- 40. **OUTDOOR ADVERTISING STRUCTURE.** A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, located on a site other than the site on which the advertised use is located or on which the advertised product is produced.
- 41. **R DISTRICTS.** Includes the R-1 District and R-M Districts.
- 42. **RAILROAD RIGHT OF WAY.** A strip of land on which railroad tracks, switching equipment and signals are located, but not including lands on which stations, offices, storage buildings, spur tracks, sidings, yards or other uses are located.
- 42.5 **SECONDARY LIVING UNITS.** An additional living unit attached to an

existing single family detached dwelling which provides complete, independent, living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling is situated. (Ord. No. 8306)

43. **SERVICE STATION.** A place where gasoline or any other motor fuel, lubricating oil or grease for the operation of motor vehicles is offered for sale to the public and deliveries are made directly into the vehicle, including lubrication on the site and the washing of automobiles where no chain conveyor, blower or steam cleaning device is used.
44. **SIGN.** Any lettering or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever placed for advertising, identification or other purposes on the ground or on any bush, tree, rock, wall, post, fence, building, structure, vehicle or on any place whatsoever so as to be visible out-of-doors. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever. Sign shall also include any portable sign.
45. **SIGN AREA.** The area of a sign having an integral part of a building, awning, canopy or marquee as its background shall be the area within the shortest line drawn to include all letters, designs and tubing which are a part of the sign. The area of all other signs shall be the largest cross sectional area of the sign measured to a line encompassing all portions of the sign including background and tubing but excluding supporting posts without attached lighting. In computing the area of a double face sign, only one face of the sign shall be included, provided that the two faces shall be parallel and not more than two feet apart.
46. **SITE.** A parcel of land subdivided or unsubdivided, of record in Solano County capable of being used under the regulation of the Zoning Ordinance.
47. **SITE AREA.** The total horizontal area included within the property lines of a site.
48. **SITE WIDTH.** The horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.

49. **STABLE.** A structure accessory to dwelling, used or designed to be used to shelter horses belonging to the occupants of the dwelling and not available for hire, including corral or paddock.
50. **STREET.** A thoroughfare, dedicated as such or acquired for public use as such, other than an alley, which affords the principal means of access to abutting land.
51. **STRUCTURE.** Anything constructed or erected which requires a location on the ground, including a building but not including a swimming pool, a fence or a wall used as a fence.
52. **STRUCTURE ACCESSORY.** Accessory building means a subordinate structure the use of which is incidental and accessory to that of the main structure on the same lot.
53. **STRUCTURE MAIN.** A structure housing the principal use of a site or functioning as the principal use.
54. **USE.** The purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered or enlarged or for which either a site or a structure is or may be occupied or maintained.
55. **VISIBILITY OBSTRUCTION.** Any plant, fence, structure, mound, rock, or other object which obstructs visibility to the extent that a hazardous or potentially hazardous traffic problem develops.
56. **YARD.** An open space on the same site as a structure, unoccupied and unobstructed from the ground upward, except as permitted by this ordinance, including a front yard, side yard, rear yard, or space between structures.
57. **YARD, FRONT.** An area extending across the front of the lot between the side lot lines, the building wall and the back of sidewalk or other line prescribed by Section 12.16.
58. **YARD, REAR.** An area extending across the back of the lot between the side lot lines, the building wall and the rear property line.
59. **YARD, SIDE.** An area extending from the front yard to the rear yard, between the building wall and property line or back of sidewalk, measured as prescribed in Section 12.16. On corner lots, the street side yard shall extend to the rear property line.

12.03

T = TEMPORARILY UNCLASSIFIED DISTRICT

Sections:

12.03.01	Purposes
12.03.02	Permitted Uses
12.03.03	Conditional Uses
12.03.04	Yards
12.03.05	Building Height
12.03.06	Site Area

12.03.01 Purposes

All parcels which are annexed to the City of Dixon and not specifically zoned or rezoned into any of the other various zone districts upon annexation shall be automatically designated on the official zoning map as "T", Temporarily Unclassified in order to allow time to consider and act upon zoning requests which are consistent with the Dixon General Plan.

12.03.02 Permitted Uses

The following uses shall be permitted:

- A. Agriculture, except animal feed yards, animal sales yard, animal stock yard and the processing of farm products on a commercial basis, but including enlargement or structural alteration of single family residential or agricultural buildings, and buildings which are accessory to any single family or agricultural use when such buildings were in existence at the time the land upon which such building is located became Temporarily Unclassified.

12.03.03 Conditional Uses

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 12.21.

- A. Public buildings and facilities including public utility facilities.

12.03.04 Yards

The following minimum front, rear, and side yard are required:

- A. Front Yard: 30 ft.
- B. Side Yard: 30 ft.

C. Rear Yard: 20 ft.

12.03.05 **Building Height**

No building shall exceed 35 ft. in height.

12.03.06 **Site Area**

The minimum site area shall be 5 acres.

12.04

A = AGRICULTURAL DISTRICT

Sections:

12.04.01	Purposes
12.04.02	Permitted Uses
12.04.03	Conditional Uses
12.04.04	Screening and Landscaping
12.04.05	Performance Standards
12.04.06	Site Area and Site Area per Dwelling Unit
12.04.07	Coverage, Front Yard, Side Yard, Rear Yard
12.04.08	Height of Structure
12.04.09	Distances Between Structures
12.04.10	Signs
12.04.11	Off-Street Parking and Loading Facilities
12.04.12	Design Review
12.03.13	General Provisions and Exceptions

12.04.01 Purposes

In addition to the objectives prescribed in Section 12.01.01 an agricultural district is included in the Zoning Ordinance to achieve the following purposes:

- A. To reserve for exclusive agricultural use appropriately located areas which are suitable for raising crops or livestock because of high quality soils, existing or potential irrigation works, adequate drainage, suitable climate or other factors and which are indicated on the Land Use diagram of the Dixon General Plan.
- B. To provide locations for permanent dwellings and transient accommodations for persons gaining their livelihoods from agricultural pursuits.
- C. To ensure adequate light, air and privacy for each dwelling unit.
- D. To provide appropriate locations for facilities for the handling, processing, sale and shipment of agricultural produce and livestock.
- E. To provide appropriate locations for certain types of establishments primarily serving agricultural producers.
- F. To provide appropriate locations for certain predominately open use of land which are harmonious with agricultural users but are not harmonious with urban uses.
- G. To prevent the intrusion of urban development into agricultural areas in such

manner as to make agricultural production uneconomical or impractical.

- H. To prevent premature development of certain lands which eventually will be appropriate for urban uses until the installation of streets, utilities and community facilities makes orderly development possible.
- I. To further the agricultural land protection goals & policies of the Dixon General Plan.

12.04.02 Permitted Uses

The following uses shall be permitted:

- A. Raising of field crops, fruit and nut trees, vegetables, horticultural specialties, livestock and timber.
- B. Processing of products produced on the premises.
- C. One-family dwellings and farm employee housing which are incidental to a permitted use or a conditional use.
- D. Home occupations conducted in accord with the regulations prescribed in Section 12.25.
- E. Incidental and accessory structures and uses located on the same site with a permitted use including barns, stables, tank houses, storage tanks, windmills, silos and other farm outbuildings; private garages and carports; one guest house or accessory living quarters without kitchen for each residence on the site; storehouses, garden structures, greenhouses, recreation rooms and hobby shops; storage of petroleum products for the use of persons residing on the site, all subject to the requirements of Section 12.18.
- F. Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard or less than three feet from a property line as to any accessory mechanical equipment and related structures, and provided that a fence not less than six feet in height shall surround the pool or area within which it is located so as to prevent uncontrolled access from a street or from adjacent properties.

12.04.03 Conditional Uses

The following uses shall be permitted upon the granting of a use permit, in accordance with the provisions of Section 12.21.

- A. Roadside stands for the sale of agricultural produce grown on the site.
- B. Labor camps.
- C. Grain elevators.
- D. Fertilizer plants and yards.
- E. Stock feeding yards on sites of not less than ten acres.
- F. Animal sales yards on sites of not less than ten acres.
- G. Farm equipment service and repair establishments.
- H. Veterinarians' offices.
- I. Bulk storage of petroleum products.
- J. Commercial stables and riding academies on sites of not less than ten acres.
- K. Airports and heliports.
- L. Cemeteries on sites of not less than ten acres.
- M. Crematories and columbariums.
- N. Public and parochial elementary schools, junior high schools, high schools, and colleges; nursery schools; private non profit schools and colleges, not including art, craft, music or dancing schools or business, professional or trade schools and colleges.
- O. Public playgrounds, parks, community centers, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities.
- P. Churches, parsonages, parish houses, monasteries, convents and other religious institutions.
- Q. Public and private charitable institutions, hospitals, sanitariums and nursing homes, not including hospitals, sanitariums or nursing homes for mental or drug addict or liquor addict cases.
- R. Private noncommercial clubs and lodges.
- S. Golf courses on sites of not less than ten acres.

- T. Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and communications equipment buildings.
- U. Commercial kennels.
- V. Accessory structures and uses located on the same site as a conditional use subject to the provisions of Section 12.18.
- W. Secondary living units. (Ord. No. 8306)

12.04.04 Screening and Landscaping

As prescribed in Section 12.26.

12.04.05 Performance Standards

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.04.06 Site Area and Site Area per Dwelling Unit

- A. The minimum site area shall be ten acres.
- B. For each dwelling unit a minimum of 2 and 1/2 acres of land for a site shall be required, subject to the exception that a labor camp may be located on a site with a lesser area for each dwelling unit, provided that the area of the site and the number of dwelling units are determined by the City Planning Commission in its approval of a use permit to be consistent with the purpose of this district.

12.04.07 Coverage, Front Yard, Side Yard, Rear Yard

- A. The maximum site area covered by structures shall be 20 percent.
- B. The minimum front yard shall be 30 feet, provided that the distance from the centerline of a public street to any structure shall not be less than 50 feet.
- C. The minimum side yard shall be 20 percent of the width of the site, provided that a side yard of more than 25 feet shall not be required and a side yard of less than 15 feet shall not be permitted.
- D. The minimum rear yard shall be 25 feet.

12.04.08 Height of Structures

- A. The maximum height of a permitted use and its accessory structures shall be 35 feet, subject to the exception that tank houses, storage tanks, windmills and silos may exceed 35 feet in height.
- B. The maximum height of a conditional use and its accessory structures shall be 50 feet, except that grain elevators, tank houses, storage tanks, windmills and silos may exceed 50 feet.

12.04.09 Distances Between Structures

Where there is more than one structure on a site, the minimum distance between a structure used for human habitation and another structure shall be 20 feet. The minimum distance between a structure used for human habitation and a structure housing livestock shall be 50 feet.

12.04.10 Signs

No sign, or display of any character shall be permitted except as prescribed in Section 12.20.

12.04.11 Off-Street Parking and Loading Facilities

Off-Street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Section 12.23.

12.04.12 Design Review

Conditional uses shall be subject to design review as prescribed in Section 12.19.

12.04.13 General Provisions and Exceptions

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.05

R1 = ONE FAMILY RESIDENTIAL DISTRICTS

Sections:

12.05.01	Purposes
12.05.02	Permitted Uses
12.05.03	Conditional Uses
12.05.04	Screening and Landscaping
12.05.05	Site Area
12.05.06	Frontage, Width, and Depth of Site
12.05.07	One Dwelling Unit per Site
12.05.08	Coverage
12.05.09	Front Yard
12.05.10	Side Yard
12.05.11	Rear Yard
12.05.12	Height of Structures
12.05.13	Distance Between Structures
12.05.14	Signs
12.05.15	Off-Street Parking and Loading Facilities
12.05.16	General Provisions and Exceptions
12.05.17	Design Review

12.05.01 Purposes

In addition to the objectives prescribed in Section 12.01.01, the R-1 one-family residential districts are included in the Zoning Ordinance to achieve the following purposes:

- A. To implement the land use and housing elements of the Dixon General Plan.
- B. To reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health and safety.
- C. To ensure adequate light, air, privacy and open space for each dwelling.
- D. To protect one-family dwellings from the congestion and lack of privacy associated with multi-family dwellings.
- E. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment.
- F. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them.

- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks.
- H. To protect residential properties from the hazards, noise, and congestion created by commercial and industrial traffic.
- I. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare, and other objectionable influences.
- J. To protect residential properties from fire, explosion, noxious fumes and other hazards.

12.05.02 Permitted Uses

The following uses shall be permitted:

- A. One-family dwellings.
- B. Raising of fruit and nut trees, vegetables and horticultural specialties.
- C. Home occupations conducted in accord with the regulations prescribed in Section 12.25.
- D. Accessory structures located on the same site with a permitted use including private garages and car ports, one guest house or accessory living quarters without a kitchen, storehouse, garden structures, greenhouse, recreation rooms and hobby shops, all subject to the provisions of Section 12.18.
- E. Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard or less than six feet from a property line as to a swimming pool or less than three feet from a property line as to any accessory mechanical equipment and related structures (Ord. No. 9015).
- F. Temporary subdivision sales offices, in accord with the regulations prescribed in Section 12.25.09.

12.05.03 Conditional Uses

The following conditional uses shall be permitted upon the granting of a use permit, as provided in Section 12.21.

- A. Public and parochial elementary schools, junior high schools, and colleges,

nursery schools, private non profit schools and colleges, not including art, craft, music or dancing schools or business, professional or trade schools and colleges.

- B. Public playgrounds, parks, community centers, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, not including post offices.
- C. Churches, parsonages, parish houses, monasteries, convents, and other religious institutions.
- D. Public and private charitable institutions, hospitals, sanitariums and nursing homes, not including hospitals, sanitariums or nursing homes for mental or drug addict or liquor addict cases.
- E. Golf courses.
- F. Private stables for the keeping of one horse on a site no less than two acres in area, provided that one additional horse may be kept for each additional acre of the site, and provided that no stable shall be located closer than 50 feet to any property line, closer than 50 feet to any dwelling on the site or closer than 100 feet to any other dwelling.
- G. Commercial nursery growing grounds.
- H. Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and communications equipment buildings.
- I. Accessory structures and uses located on the same site as a conditional use subject to the provisions Section 12.18.
- J. Automobile parking lots when adjacent to any permitted use in this district or when adjacent to any "C" district.
- K. Secondary living units. (Ord. No. 8306)

12.05.04 Screening and Landscaping

As required in Section 12.26.

12.05.05 **Site Area**

The minimum site area shall be as follows:

District	Permitted & Conditional Uses
R-1- 7,000	7,000 square feet
R-1-10,000	10,000 square feet
R-1-15,000	15,000 square feet
R-1-20,000	20,000 square feet

12.05.06 **Frontage, Width and Depth of Site**

A. Each site shall have frontage on a public street of at least 50 feet.

B.

Site Area (square feet)	Permitted or Conditional Use, Interior Lot Width	Permitted or Conditional Use, Corner Lot Width
7,000- 7,999	65 feet	75 feet
8,000- 9,999	70 feet	80 feet
10,000-14,999	80 feet	90 feet
15,000-20,000	100 feet	110 feet

C. Each site shall have a depth of not less than 100 feet, provided that a site fronting or rearing on a railroad right of way, freeway or major street shall have a depth of not less than 130 feet.

12.05.07 **One Dwelling Unit Per Site**

Not more than one dwelling unit shall be located on each site.

12.05.08 **Coverage**

The maximum site area covered by the main structures shall be 40 percent for a permitted use or a conditional use.

12.05.09 **Front Yard**

- A. The minimum front yard shall be as follows, subject to the exceptions set forth in this section:

Site Area (square feet)	Minimum Front Yard
Less than 10,000	20 feet
10,000 - 14,999	25 feet
15,000 and over	30 feet

- B. On a site situated between sites improved with buildings, the minimum front yard shall be the average depth of the front yards on the improved site adjoining the side lines of the site.
- C. Where a site is situated between one or two unimproved site and where sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard shall be the average of the existing front yard depths in the block.
- D. The minimum front yard for a garage shall be 22 feet. This distance may be reduced to 15 feet for garages having curved driveways and openings which are perpendicular to the adjoining street.

12.05.10 **Side Yard**

- A. The minimum side yard shall be 5 feet on one side and 12 feet on the other side, except that:
1. On a corner lot the minimum street side yard shall be 15 feet, and the minimum interior side yard shall be 5 feet.
 2. Side yards on each side may be a minimum of 5 feet if:
 - (a) A side yard borders an alley, or
 - (b) Side yard boundaries are parallel and the lot is less than 50 feet in width.
- B. Section 12.16.06 notwithstanding whenever a 12 foot side yard is required, there shall be at least 10 feet of unobstructed vertical and lateral clearance.

12.05.11 **Rear Yard**

The minimum rear yard shall be 20 percent of the lot depth to a maximum of 25 feet; provided, that no rear yard shall be less than 15 feet, subject to the following exceptions:

- A. A wing of the main building which is no wider than one third of the site width may extend into the required rear yard; provided, that the distance from the rear wall of the structure to the rear lot line shall be not less than 10 feet and that the remaining area behind the main building shall be not less than a normal rear yard.
- B. On a reversed corner lot the minimum rear yard shall not be less than the side yard prescribed in Section **12.05.10**; provided that the side yard adjoining the street shall be not less than the required front yard on the adjoining key lot.
- C. Accessory structures not exceeding 10 feet in height when within 5 feet of the side or rear property line and 14 feet when more than 5 feet from the rear or side property line may be located in the required rear yard; provided, that not more than 10 percent of the area of the required rear yard shall be covered by structures enclosed on more than one side. An additional 10 percent of the area shall be covered by structures open on three sides or more. On a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot.

12.05.12 **Height of Structures**

No structure shall exceed 30 feet in height.

12.05.13 **Distances Between Structures**

When there is more than one structure on a site, the minimum distance between a structure used for human habitation and an accessory structure shall be 10 feet. The minimum distance between structures shall be increased by one foot for each two feet of height or fraction thereof by which a portion of a structure within 30 feet of another structure exceeds 14 feet in height.

12.05.14 **Signs**

No sign, or display of any character shall be permitted except as prescribed in Section 12.20.

12.05.15 **Off-Street Parking and Loading Facilities**

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Section 12.23.

12.05.16 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.05.17 **Design Review**

Design Review is required for all single family dwellings as provided in Section 12.19.

12.06 RM = MULTIPLE FAMILY DISTRICTS

Section:

12.06.01	Purposes
12.06.02	Permitted Uses
12.06.03	Conditional Uses
12.06.04	Screening and Landscaping
12.06.05	Performance Standards
12.06.06	Site Area and Site Area per Dwelling Unit
12.06.07	Frontage, Width and Depth of Site
12.06.08	Coverage
12.06.09	Front Yard
12.06.10	Side Yard
12.06.11	Rear Yard
12.06.12	Height of Structures
12.06.13	Distances Between Structures
12.06.14	Signs
12.06.15	Off-Street Parking and Loading Facilities
12.06.16	General Provisions and Exceptions
12.06.17	Design Review

12.06.01 Purposes

In addition to the objectives prescribed in Section 12.01.01, the multi-family residential district is included in the Zoning Ordinance to achieve the following purposes:

- A. To implement the Land Use & Housing Elements of the Dixon General Plan.
- B. To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety.
- C. To preserve as many of the desirable characteristics of one family residential districts as possible while permitting higher population densities.
- D. To ensure adequate light, air, privacy and open space for each dwelling unit.
- E. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment.
- F. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them.

- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks.
- H. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic.
- I. To protect residential properties from noise, illumination unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences.
- J. To protect residential properties from fire, explosion, noxious fumes and other hazards.

12.06.02 Permitted Uses

The following uses shall be permitted:

- A. R-M-1
 - 1. One-family dwellings.
 - 2. Two-family dwellings (duplexes).
- B. R-M-2
 - 1. One-family dwellings.
 - 2. Two-family dwellings.
 - 3. Three-family dwellings (triplexes).
 - 4. Four-family dwellings (fourplexes).
 - 5. Multi-family dwellings.
- C. Permitted uses compatible with the R-M-1, and R-M-2 districts listed above.
 - 1. Raising of fruit and nut trees, vegetables and horticultural specialties.
 - 2. Home occupations conducted in accord with the regulations prescribed in Section 12.25.
 - 3. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house or accessory living quarters without a kitchen, storehouses, garden structures, greenhouses, recreation rooms and hobby shops, all subject to the provisions of Section 12.18.
 - 4. Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required

side yard or less than 6 feet from a property line as to a swimming pool or less than 3 feet from a property line as to any accessory mechanical equipment and related structures, and provided that a fence not less than 6 feet in height shall surround the pool or area within which it is located so as to prevent uncontrolled access from a street or from adjacent properties.

5. Temporary subdivision sales offices, in accord with the regulations prescribed in Section 12.25.09.

12.06.03 **Conditional Uses**

The following conditional uses shall be permitted within the R-M-1 and R-M-2 districts upon the granting of a use permit, in accord with the provisions of Section 12.21.

- A. Public and parochial elementary schools, junior high schools, high schools and colleges; non-profit school and colleges, not including art, craft, music or dancing schools or businesses, professional or trade schools and colleges.
- B. Public playgrounds, parks, community centers, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, not including post offices.
- C. Churches, parsonages, parish houses, monasteries, convents and other religious institutions.
- D. Public and private charitable institutions; hospitals, sanitariums and nursing homes, not including hospitals, sanitariums or nursing homes for mental or drug addict or liquor addict cases.
- E. Private noncommercial clubs and lodges.
- F. Golf courses.
- G. Lodging houses.
- H. Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and communications equipment buildings found by the City Planning Commission to be necessary for the public health, safety or welfare.
- I. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.

- J. Parking lots improved as prescribed in Section 12.23 on a site having a side property line which for a distance of not less than 50 feet adjoins a C or M District, or is separated therefrom only by an alley, provided that the site of the parking lot shall not extend more than 150 feet from the boundary of the C or M district.
- K. Professional and administrative offices shall be permitted as follows:
1. On a site having a side property line which for a distance of not less than 50 feet adjoins a C or M district or is separated therefrom only by an alley, provided that the site shall not extend more than 150 feet from the boundary of the C or M district.
 2. On a site having not less than one-half of its frontage directly across a street from a C or M district.

The following uses are specifically excluded, except as home occupations conducted in accord with the regulations prescribed in Section 12.25. Any establishment, producing or selling a product which is stored on the site, other than architects' or engineers' plans or works of art; beauty parlors; pharmacies; optical dispensing establishments; dental and medical laboratories except laboratories incidental to a dental or medical practice conducted on the site.

12.06.04 Screening and Landscaping

As required in Section 12.26.

12.06.05 Performance Standards

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.06.06 Site Area and Site Area per dwelling Unit

- A. The minimum site area shall be as follows:

District	Permitted or Conditional Uses
R-M-1	8,000 square feet
R-M-2	7,500 square feet

- B. The minimum site per dwelling unit shall be as follows:

District	Two Units	Three Units	Four or more Units
R-M-1	4,000 sq. ft.	----	-----
R-M-2	4,000 sq. ft.	2,500 sq. ft.	2,500 sq. ft.

12.06.07 Frontage, Width and Depth of Site

- A. Each site shall have not less than 40 feet of frontage on a public street.
- B. The minimum site width shall be as follows:

District	Permitted or Conditional Use (interior lot)	Permitted or Conditional Use (corner lot)
R-M-1	60 feet	70 feet
R-M-2	65 feet	75 feet

- C. Each site shall have a depth of not less than 100 feet, provided that a site fronting or rearing on a railroad right of way, freeway or major street shall have a depth of not less than 130 feet.

12.06.08 Coverage

The maximum site area covered by the main structure shall be 40 percent for a permitted or conditional use.

12.06.09 Front Yard

The minimum front yard shall be 20 feet subject to the following exceptions:

- A. On a site situated between sites improved with buildings the minimum front yard shall be the average depth of the front yards on the improved sites adjoining the side lines of the site.
- B. Where a site is situated between one or two unimproved sites and where the sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard shall be the average of the existing front yard depths on the block.
- C. In computing average front yard depths 30 feet shall be used in lieu of any front yard depth greater than 30 feet.
- D. The required front yard may be reduced by 5 feet when all required off-street

parking spaces are located on the rear half of the site or are entered

parallel to the front property line of the site, provided that the front yard shall not be less than 10 feet.

12.06.10 **Side Yards**

- A. The minimum side yard shall be as follows:

District	Minimum Side Yard Required	Minimum side yard required for building over 40 feet in length or over one story in height
R-M-1	5 feet	7 feet
R-M-2	6 feet	8 feet

- B. On the street side of a corner lot, the side yard shall not be less than 20 percent of the average width of the site or 20 feet, whichever is the lesser requirement; provided, that a side yard less than 15 feet shall not be permitted.

12.06.11 **Rear Yard**

The minimum rear yard shall be 25 feet, subject to the following exceptions:

- A. The rear yard may be reduced to not less than 15 feet provided that one side yard is 20 feet or more.
- B. One foot shall be added to the required rear yard for each of 2 feet of height or fraction thereof by which a portion of a structure within 30 feet of the rear property line exceeds 14 feet in height.
- C. Accessory structures not exceeding 10 feet in height may be located in the required rear yard provided that not more than 20 percent of the area of the required rear yard shall be covered by structures and provided that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. If the accessory structure is a garage or carport the minimum setback shall be 20 feet.
- D. Where the rear property line of the site of a professional or administrative office adjoins a dwelling in an R district or a vacant site in an R district, the rear yard shall be not less than 38 feet and shall be increased as required in paragraph B.

12.06.12 **Height of Structures**

No structure shall exceed 38 feet in height.

12.06.13 **Distances between Structures**

- A. Where there is more than one structure on a site the minimum distance between structure used for human habitation and an accessory structure shall be 10 feet. The minimum distance between structures shall be increased 1 foot for each 2 feet of height, or fraction thereof, by which a portion of a structure within 30 feet of another structure exceeds 14 feet in height.
- B. Special yards required for dwelling groups:
 - 1. In case the buildings of the group are not located on the site that the rear of the buildings which face the street is itself faced by the front of a building to the rear (ie. in a front to back series) no such building shall be closer than 20 feet to any other such buildings and the side providing access shall not be less than 8 feet.
 - 2. In case the buildings of the group are so located that the rear thereof abut upon one side yard and the fronts thereof abut the other side yard (ie. in a single row side to side series), the side yard providing access shall have a width of not less than 12 feet.
 - 3. In case the buildings of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court (ie. in a double row side to side series) the court shall have width of not less than 20 feet.
 - 4. In no case shall any separate buildings of the group be closer to any other buildings of the group than a distance of 10 feet.

12.06.14 **Signs**

No sign, or display of any character shall be permitted except as prescribed in Section 12.20.

12.06.15 **Off-Street Parking and Loading Facilities**

Off-Street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Section 12.23.

12.06.16 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.06.17 **Design Review**

All permitted and conditional uses shall be subject to design review as provided in Section 12.19.

C DISTRICTS

12.07 PAO = PROFESSIONAL AND ADMINISTRATIVE OFFICE DISTRICT

Sections:

12.07.01	Purpose
12.07.02	Permitted Uses
12.07.03	Conditional Uses
12.07.04	Screening and Landscaping
12.07.05	Coverage
12.07.06	Front Yard
12.07.07	Side Yard
12.07.08	Rear Yard
12.07.09	Site Area
12.07.10	Height of Structures
12.07.11	Off-Street Parking
12.07.12	Design Review
12.07.13	Performance Standards

12.07.01 Purpose

The purpose of this district is to establish an area in which professional offices may be permitted which is found to be:

- A. Permanent transitional use between nonresidential districts and residential districts.
- B. Consistent with the land use element of the Dixon General Plan.
- C. Noncommercial in nature and which do not involve the manufacture, processing or sale of products or materials to the general public and which are compatible with residential areas.

12.07.02 Permitted Uses

Uses permitted in the PAO Professional and Administrative Office District shall be as follows:

- A. Health services, legal and miscellaneous personal services, professional and administrative offices, including but not limited to:

Physicians,
Dentists,
Osteopathic physicians,
Other health practitioners,

Engineers,
Architects,
Planners,
Attorneys,

Medical/dental laboratories and clinics;

- B. Business and manufacturing service offices of a nonretail commercial, nonmanufacturing character, including but not limited to:

Advertising agency,
Employment agency,
Computer and data processing service,
Management, consulting and public relations services,
Business services, general,
Manufacturing representatives,
Administrative and executive offices for business and manufacturing establishments;

- C. Social services, administrative and executive offices, including but not limited to:

Individual and family social services,
Foundation and philanthropic trusts,
Community improvement, social change and neighborhood development organizations,
Fund-raising organizations;

- D. Membership organization offices, including but not limited to:

Business associations,
Professional membership organizations,
Labor union and similar labor organizations,
Civic, social and fraternal organizations,
Political organizations.

- E. Accessory uses subject to the provisions of Section 12.18.

12.07.03 **Conditional Uses**

The following uses may be permitted subject to permit approval in accordance with Section 12.21.

- A. Finance, insurance and real estate service offices, including but not limited to:

Credit agencies other than banks,
Security and commodity brokers, exchanges and services,
Insurance,
Insurance agents, brokers, and services,
Real Estate,
Holding and other investment offices;

- B. Public administration offices, including but not limited to:

Executive, legislative and general government,
Justice, public order and safety,

Public finance, taxation and monetary policy,
Administration of human resources programs,
Administration of environmental quality and housing programs,
Administration of economic programs.

12.07.04 **Screening and Landscaping**

- A. An addition to the provisions of Section 12.26 the following shall be required:
1. Where a site adjoins an R district a solid masonry wall, 6 feet in height shall be located on the property line except in a required front yard. In addition the Design Review Commission shall require that the 10 feet adjoining the property line be landscaped with plant materials and permanently maintained when such landscaping is necessary to insure privacy, or to insulate adjoining dwellings against noise.
 2. In a PAO District not less than 10 feet of a required yard adjoining a street shall be landscaped and permanently maintained.
 3. No fence, wall or hedge shall exceed 6 feet in height if located in a required side or rear yard or 3 feet in height if located in a required front yard.

12.07.05 **Coverage**

The maximum site area covered by structures shall not exceed 40 percent.

12.07.06 **Front Yard**

The required front yard shall be 20 feet, subject to the following exceptions:

- A. The required front yard may be reduced by 5 feet when all required off-street parking spaces are located on the rear half of the site or are entered parallel to the front property line of the site; provided, that the front yard shall not be less than 15 feet.
- B. The required front yard shall be landscaped and permanently maintained, as provided in Section 12.26.
- C. Where a site adjoins, or is located across the street from a commercial district the required front yard may be reduced to 10 feet.

12.07.07 **Side Yard**

The minimum side yard required shall be 10 feet, subject to the following exceptions:

- A. On a reversed corner lot adjoining a key lot in an R or A district, the minimum side yard adjoining the street shall be not less than the required front yard on the key lot.
- B. The minimum side yard adjoining an R or A district shall be 20 feet.
- C. The minimum side yard across a street or alley from or adjacent to a commercial district shall be 10 feet.
- D. 5 feet shall be added to each required side yard for each 10 feet or height above the lowest 20 feet of height of structure.

12.07.08 **Rear Yard**

The minimum rear yard required shall be 25 feet, subject to the following exceptions:

- A. The minimum rear yard across a street or alley from or adjacent to a commercial district shall be 10 feet.
- B. 5 feet shall be added to a required rear yard for each 10 feet of height above the lowest 20 feet of height of a structure.

12.07.09 **Site Area**

The minimum site area shall be 10,000 square feet.

12.07.10 **Height of Structures**

The maximum height of structures shall be 30 feet.

12.07.11 **Off-Street Parking**

Off-street parking and off-street loading shall be provided as prescribed in Section 12.23.

12.07.12 **Design Review**

All uses shall be subject to design review as prescribed in Section 12.19.

12.07.13 **Performance Standards**

All existing and proposed uses shall be subject to the requirement of Section 12.24.

Sections:

12.08.01	Purposes
12.08.02	Permitted Uses
12.08.03	Conditional Uses
12.08.04	Screening and Landscaping
12.08.05	Required Conditions
12.08.06	Performance Standards
12.08.07	Required Yards
12.08.08	Minimum Lot Size
12.08.09	Height of Structures
12.08.10	Signs
12.08.11	Off-Street Parking and Loading Facilities
12.08.12	Design Review
12.08.13	General Provisions and Exceptions

12.08.01 Purposes

The purpose of the Neighborhood Commercial District is to encourage the development of limited retail commercial and service uses to meet the day to day needs of local residents. The principal uses in this district would be food and beverage retail sales combined with general retail sales. The intent of the district is to implement the goal of the Land Use Element of the Dixon General Plan which provides for the establishment of local convenience centers to serve new and existing residential neighborhoods. Typically the District would be applied to areas serving only a limited local market, and would permit only those uses which did not create, in the adjacent residential area, increased traffic, noise or other incompatible impacts. In addition, the scale and design of uses allowed will need to reflect those of the surrounding residential neighborhood.

12.08.02 Permitted Uses

The following uses shall be permitted:

A. Retail stores, offices and service establishments including but not limited to the following:

- | | |
|--|---|
| 1. Art and antique stores, | 31. Messenger offices, |
| 2. Artists supply stores, | 32. Millinery shops, |
| 3. Bakery good stores, | 33. Music stores, |
| 4. Banks, | 34. Newsstands, |
| 5. Barbershops and beauty shops, | 35. Nurseries and garden supply stores, |
| 6. Bicycle shops, | provided that all equipment supplies and |
| 7. Book stores and rental libraries, | merchandise other than plants shall be |
| 8. Candy stores, | kept within a completely enclosed |
| 9. Christmas tree sales lots, subject to the | building and that fertilizer of any type |
| provisions of Section 12.18, | shall be stored and sold in packaged form |
| 10. Cigar stores, | only, |
| 11. Cleaning and laundry agencies, including | 36. Office and business machine stores, |
| the use of synthetic dry cleaning | 37. Offices and office buildings, |
| machines using noninflammable and | 38. Optician and optometrist shops, |
| nonexplosive solvents and having a | 39. Paint and wallpaper stores, |
| capacity of not more than forty pounds | 40. Pet and bird stores, |
| per cycle, | 41. Photographic supply stores, |
| 12. Insurance offices, | 42. Photography studios, |
| 13. Clothing stores, | 43. Picture framing shops, |
| 14. Communication Equipment Building, | 44. Pressing establishments, |
| 15. Drugstores, | 45. Realtors and real estate offices, |
| 16. Dry good stores, | 46. Restaurants not including drive-in |
| 17. Florists, | restaurants, |
| 18. Food lockers, | 47. Self-service laundries, |
| 19. Food stores, delicatessens and | 48. Shoe repair shops, |
| supermarkets, | 49. Shoe stores, |
| 20. Furniture stores, | 50. Soda fountains, |
| 21. Garden shops, | 51. Sporting good stores, |
| 22. Gift shops, | 52. Stationery stores, |
| 23. Hardware stores, | 53. Tailor and dressmaking shops, |
| 24. Hobby shops, | 54. Toy stores, |
| 25. Household appliance stores, | 55. Travel bureaus, |
| 26. Interior decorating shops, | 56. Umbrella repair shops, |
| 27. Jewelry stores, | 57. Variety stores, |
| 28. Leather goods and luggage stores, | 58. Watch and clock repair shops; |
| 29. Liquor stores, | |
| 30. Locksmiths, | |

B. Parking lots improved in conformity with the standards prescribed in Section 12.23;

C. Accessory structures and uses, not including warehouses, on the same site as permitted use, subject to the provisions of Section 12.18.

D. Temporary Parking Lots for Events Sponsored by a Public Agency (in accordance with authority provided by Section 12.16.09 of the Zoning Ordinance, March 30, 1998).

12.08.03 **Conditional Uses**

A. The following conditional uses shall be permitted upon the granting of a Use Permit as provided in Section 12.21.

1. Bars,
2. Gasoline Service Stations, not including auto repair services,
3. Public parks and playgrounds and other public recreation facilities,
4. Private clubs and lodges,
5. Churches and other religious institutions,
6. Public and private charitable institutions,
7. Public and private libraries, art galleries and museums,
8. Public buildings and grounds,
9. Public utility and public service pumping stations, power stations, drainage ways and structures, and storage tanks,
10. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18,
11. Bus stations,
12. Printing shops,
13. Upholstery shops,
14. Gasoline sales in association with a use permit in Section 12.08.02.

12.08.04 **Screening and Landscaping**

As required in Section 12.26.

12-08-05 **Required Conditions**

- A. All business services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, utility substations, outdoor dining areas, plant nurseries, garden shops, Christmas Tree sales, bus depots and transit stations. Outdoor storage of material, supplies and vehicles under repair shall be in an approved screened storage area, unless otherwise approved by the Planning Commission.
- B. All products produces on the site of any of the permitted uses shall be sold on the site where produced.
- C. Not more than 5 persons shall be engaged in the production, repair, or processing of materials except that their provision shall not apply to bars restaurants, and soda fountains.

12.08.06 **Performance Standards**

All existing and proposed uses shall be subject to the requirements of Section 12.24.

12.08.07 **Required Yards**

- A. Minimum front yard:
10 feet except when the site adjoins an A or R District in which case the minimum front yard shall be 15 feet.
- B. Minimum side and rear yards, none except in the following instances:
 - 1. On a reversed corner lot adjoining a key lot in an R or A district, the minimum street side yard shall be not less than $\frac{1}{2}$ of the required front yard on the key lot.
 - 2. The minimum side yard or rear yard adjoining an R or A district shall be 20 feet.
 - 3. One foot shall be added to each required side yard or rear yard for each 2 feet or height or fraction thereof by which a portion of a structure within 30 feet of the nearest side or rear property line exceeding 14 feet in height.

12.08.08 **Maximum Lot Size**

Area: 20,000 square feet.

12.08.09 **Height of Structures**

The maximum height of any structure shall be 30 feet. Freestanding sign height shall be maximum of 20 feet. (Ord. No. 8907)

12.08.10 **Signs**

No sign or display of any character shall be permitted except as prescribed in Section 12.20.

12.08.11 **Off-Street Parking and Loading Facilities**

Off-street parking and loading facilities shall be provided as prescribed in Section 12.23.

12.08.12 **Design Review**

All uses shall be subject to the design review as provided in Section 12.19.

12.08.13 **General Provisions and Exceptions**

All uses shall be subject to the General Provisions and exceptions prescribed in Section 12.16.

Sections:

- 12.09.01 Purposes
- 12.09.02 Permitted Uses
- 12.09.03 Conditional Uses
- 12.09.04 Screening and Landscaping
- 12.09.05 Performance Standards
- 12.09.06 Required Yards
- 12.09.07 Height of Structures
- 12.09.08 Signs
- 12.09.09 Off-Street Parking and Loading Facilities
- 12.09.10 Design Review
- 12.09.11 General Provisions and Exceptions

12.09.01 Purposes

The purposes of the Central Commercial Districts are to further the goals and policies of the Dixon General Plan which designate the Central Business District as the primary shopping area of the City and to further assist in the creation of orderly and aesthetically pleasing environment so necessary to the success of downtown areas.

The District is intending to help the City deal creatively with the special problems of parking, overall appearance including signs and economic attractiveness which are unique to downtown areas.

12.09.02 Permitted Uses

- A. All uses permitted in the C-N district.
- B. Stores, service establishments and amusement establishments including but not limited to the following:

- | | |
|--|--|
| 1. Addressograph services, | 10. Gymnasiums, |
| 2. Art and craft schools and colleges, | 11. Hand laundries, |
| 3. Automobile supply stores, | 12. Hotels, |
| 4. Blueprint and photostat shops, | 13. Household repair shops, |
| 5. Bus depots and transit stations provided that buses or other transit vehicles shall not be stored on the site and no repair work or servicing of vehicles shall be conducted on the site, | 14. Laboratories, |
| 6. Business, professional and trade schools and colleges, | 15. Meeting halls, |
| 7. Cafes and nightclubs, | 16. Mortuaries, |
| 8. Electrical appliance repair shops, | 17. Music and dance studios, |
| 9. Gunsmith shops, | 18. Parcel delivery services including garage facilities for delivery trucks but excluding repair shop facilities, |
| | 19. Plumbing, heating and ventilating equipment showrooms with storage of floor samples only. |

- | | |
|--|--|
| 20. Pool halls, | 26. Sports arenas within buildings, |
| 21. Printing shops, | 27. Storage garages, |
| 22. Radio and television broadcasting studios, | 28. Taxidermists, |
| 23. Secondhand stores and pawnshops, | 29. Theaters and auditoriums within buildings, |
| 24. Sign-painting shops, | 30. Upholstering shops, |
| 25. Skating rinks within buildings, | 31. Department stores. |

- C. Public and private charitable institutions.
- D. Public and private libraries, art galleries and museums.
- E. Accessory structures and uses located on the same site as permitted use, subject to the provisions of Section 12.18.

12.09.03 Conditional Uses

- A. The following uses shall be permitted upon the granting of a use permit as provided in Section 12.21.
 - 1. Public parks and playgrounds and other recreation facilities.
 - 2. Public buildings and grounds.
 - 3. Public utility and public service pumping stations, power stations, drainage ways and structures, and storage tanks found by the City Planning Commission to be necessary for the public health, safety or welfare.
 - 4. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.
 - 5. Nursing Home.
 - 6. Residence facilities only when located above the first floor of any structure.
 - 7. Private clubs and lodges.
 - 8. Churches and other religious institutions.

12.09.04 Screening and Landscaping

As required in Section 12.26.

- A. All business services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, utility substations, outdoor dining areas, plant nurseries, garden shops, Christmas tree sales, bus depots and transit stations. Outdoor storage of material, supplies and vehicles under repair shall be in an approved screened storage area, unless otherwise approved

by the Planning Commission.

12.09.05 **Performance Standards**

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.09.06 **Required Yards**

There are no required front, side or rear yards except in the following instances:

- A. On a reverse corner lot adjoining a key lot in an R district, the minimum street side yard shall be not less than ½ of the required front yard of the key lot.
- B. The minimum side yard or rear yard adjoining an R district shall be 20 feet.
- C. One foot shall be added to each required side yard or rear yard for each 2 feet of height or fraction thereof by which a portion of a structure within 30 feet of the nearest side or rear yard property line exceeds 14 feet in height.

12.09.07 **Height Structures**

No structure shall exceed 50 feet in height.

12.09.08 **Signs**

No sign or display of any character shall be permitted except as prescribed in Section 12.20.

12.09.09 **Off-Street Parking and Loading Facilities**

Off-street parking and loading facilities shall be provided as prescribed in Section 12.23.

12.09.10 **Design Review**

All uses shall be subject to architectural and site plan review as prescribed in Section 12.19.

12.09.11 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

Sections:

- 12.10.01 Purposes
- 12.10.02 Permitted Uses
- 12.10.03 Conditional Uses
- 12.10.04 Screening and Landscaping
- 12.10.05 Performance Standards
- 12.10.06 Yards
- 12.10.07 Minimum Lot Size
- 12.10.08 Height of Structures
- 12.10.09 Signs
- 12.10.10 Off-Street Parking and Loading Facilities
- 12.10.11 Design Review
- 12.10.12 General Provisions and Exceptions

12.10.01 Purposes

The purpose of this district is to encourage the development of commercial goods and services in places conveniently and safely accessible from freeways as shown on the Land Use diagram of the Dixon General Plan, while discouraging those uses that are unrelated to the needs of freeway users and which may adversely affect adjacent noise-sensitive land uses.

This district principally allows uses which serve the automobile associated traveler.

12.10.02 Permitted Uses

The following uses are permitted in the C-H District:

A. Establishments which generally require large sites and do not require locations in close proximity to other retail uses, including but not limited to:

- | | |
|--------------------------------------|---|
| 1. Automobile sales and service, | 8. Parking lots improved in conformity with |
| 2. Automobile supply stores, | standards prescribed in Section 12.23, |
| 3. Christmas tree sales lots, | 9. Repair garages, |
| 4. Communication equipment building, | 10. Trailer sales and services, |
| 5. Gasoline service stations, | 11. Recreation vehicle sales and services. |
| 6. Golf driving ranges, | (Ord. No. 8909) |
| 7. Hotels and motels, | |

B. Accessory structures and uses located on the same site as a permitted use, subject to the provisions of Section 12.18.

- C. Temporary Parking Lots for Events Sponsored by a Public Agency (in accordance with authority provided by Section 12.16.09 of the Zoning Ordinance, March 30, 1998).

12.10.03 Conditional Uses

- A. The following uses are permitted upon the granting of a Use Permit in accordance with the procedures prescribed in Section 12.21. A master Use Permit, with several conditional and permitted uses, may be considered with a Highway Commercial complex. The master Use Permit application shall be considered concurrently with the complex's Design Review application.

- | | |
|--|--|
| 1. Commercial amusement establishments including amusement parks; automobile and motorcycle racing stadiums and drag strips; carnivals, circuses and other transient amusement enterprises; drive-in theaters and walk-in theaters; pony riding rings; race tracks; riding stables; and sports stadiums. | 13. Furniture and appliance showrooms. |
| 2. Public parks and playgrounds and other public recreational facilities. | 14. Gift shop and souvenirs. |
| 3. Public utility and public service pumping stations, power stations, drainage ways and structures, and storage tanks found by the City Planning Commission to be necessary for the public health, safety or welfare. | 15. Galleries. |
| 4. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18. | 16. Home improvement centers. |
| 5. Restaurants including drive-in restaurants. | 17. Ice cream and yogurt. |
| 6. Gasoline service stations with convenience markets over 500 sq. ft. retail sales area. | 18. Laundromat and cleaners. |
| 7. Bakery and donuts. | 19. Produce. |
| 8. Building and garden supplies. | 20. Sporting goods and bait shop. |
| 9. Computer, electronics and stereo. | 21. Support office (not to exceed 25% of development) including but not limited to: |
| 10. Country store/deli. | a. Real estate. |
| 11. Financial institutions. | b. Tax preparation. |
| 12. Florist and cards. | c. Accountant. |
| | d. Attorney. |
| | e. Title insurance. |
| | f. Medical. |
| | g. Dental. |
| | 22. Equipment rentals. |
| | 23. Spa and swimming pool outlets. |
| | 24. Tourist related sales and service facilities. |
| | 25. Walk-in medical. |
| | 26. Off premise sale of alcoholic beverages. (Ord. No. 8909) |
| | 27. Multi tenant freeway oriented signs above the height limitation. (Ord. No. 9004) |

12.10.04 Screening and Landscaping

As required in Section 12.26.

12.10.05 Performance Standards

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.10.06 Yards

- A. The minimum front yard shall be 20 feet. (Ord. No. 9004)
- B. There are no required side or rear yards except in the following instances:
 - 1. On a reverse corner lot adjoining a key lot which is in an R District, the minimum street side yard shall be not less than one half of the required front yard of the key lot.
 - 2. The minimum side yard or rear yard adjoining an R District shall be 20 feet.
 - 3. One foot shall be added to each required side yard or rear yard for each 2 feet of height or fraction thereof by which a portion of a structure within 30 feet of the nearest side or rear yard property line exceeds 14 feet in height.

12.10.07 Minimum Lot Size

Area: 10,000 square feet.

12.10.08 Height of Structures

No structure shall exceed 40 feet in height.

12.10.09 Signs

No signs or display of any character shall be permitted except as prescribed in Section 12.20.

12.10.10 Off-Street Parking and Loading Facilities

Off-street parking and loading facilities shall be provided for all uses as prescribed in Section 12.23.

12.10.11 Design Review

All uses shall be subject to the Architectural and Site Plan Review as prescribed in Section 12.19.

12.10.12 General Provisions and Exceptions

All uses shall be subject to the general provisions and exceptions as prescribed in Section 12.16.

Sections:

12.11.01	Purposes
12.11.02	Permitted Uses
12.11.03	Conditional Uses
12.11.04	Screening and Landscaping
12.11.05	Performance Standards
12.11.06	Yards
12.11.07	Minimum Lot Size
12.11.08	Height of Structure
12.11.09	Signs
12.11.10	Off-Street Parking and Loading Facilities
12.11.11	Design Review
12.11.12	General Provisions and Exceptions

12.11.01 Purposes

The purpose of the C-S, Service Commercial is to encourage certain heavy commercial and light manufacturing uses which are generally incompatible with retail and highway commercial uses, but perform needed storage, and service functions.

This district is also created to further the policies of the Dixon General Plan which encourages such uses in locations which are not apt to expose nearby residential and other such sensitive uses to the possible nuisance effects generated by such uses.

12.11.02 Permitted Uses

A. Commercial service establishments, including but not limited to the following:

- | | |
|--|---|
| 1. Automobile repairing, overhauling, rebuilding and painting, | 11. Bus stations, |
| 2. Automobile sales and service, | 12. Cabinet shops, |
| 3. Automobile upholstery and top shops, | 13. Carpenters' shops, |
| 4. Automobile washing including the use of mechanical conveyors, blowers and steam cleaning, | 14. Carpet and rug cleaning and dyeing, |
| 5. Bakeries, | 15. Catering shops, |
| 6. Barber shop, beauty shop, | 16. Christmas tree sales lots, |
| 7. Boat sales and service, | 17. Cleaning and dyeing, |
| 8. Book binding, | 18. Cold storage plants, |
| 9. Bottling works, | 19. Communications equipment building, |
| 10. Bowling alleys, | 20. Dairy products plants, |
| | 21. Diaper supply services, |
| | 22. Electrical repairs shops, |
| | 23. Exterminators, |

- | | | | |
|-----|--|-----|---|
| 24. | Feed and fuel stores, | 47. | Refrigeration equipment, |
| 25. | Food lockers, | 48. | Repair garages, |
| 26. | Freight forwarding terminals, | 49. | Restaurants including drive-in restaurants, |
| 27. | Gasoline service stations, | 50. | Safe and vault repairing, |
| 28. | Glass shops, | 51. | Sheet metal shops, |
| 29. | Heating and ventilation shops, | 52. | Storage yards for commercial vehicles, |
| 30. | Household and office equipment and machinery repair shops, | 53. | Tire sales, retreading and recapping, |
| 31. | Ice storage houses, | 54. | Trailer sales and services, |
| 32. | Laboratories, | 55. | Tool or cutlery sharpening or grinding, |
| 33. | Laundries, | 56. | Used car sales, |
| 34. | Linen supply service, | 57. | Veterinarians' offices and small hospitals including short-term boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications of soundproof construction which shall be prescribed by the Planning Director. |
| 35. | Machinery sales and rentals, | 58. | Warehouses except for the storage of fuel or flammable liquids, |
| 36. | Mattress repair shops, | 59. | Wholesale establishments, |
| 37. | Mortuaries, | 60. | Mini storage and caretaker residence. |
| 38. | Motorcycle sales and services, | | |
| 39. | Nurseries and garden supply stores, | | |
| 40. | Office and office buildings, | | |
| 41. | Packing and crating, | | |
| 42. | Parcel delivery services, | | |
| 43. | Photographic developing and printing, | | |
| 44. | Plumbing shops, | | |
| 45. | Printing, lithographing, and engraving, | | |
| 46. | Railroad stations, | | |

B. Commercial service establishments involving creation of noise, odor, dust, heavy traffic, unsightliness or other nuisances and hazards, when located not less than 250 feet from an R District, including, but not limited to:

1. Blacksmith shops,
2. Building materials yards other than gravel, rock or cement yards
3. Contractors, equipment rental yards,
4. Contractors, storage yards,
5. Kennels,
6. Live storage, killing or dressing of poultry or rabbits for retail sale on the premises.
7. Lumber yards not including planing mills or saw mills,
8. Small animal boarding,
9. Stone and monument yards.
10. Transit yards,
11. Trucking terminals,
12. Veterinarians' offices and small animal hospitals,
13. Welding shops.

C. Parking lots improved in conformity with the standards prescribed in Section 12.23.

D. Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and service yards.

E. Accessory uses subject to the provisions of Section 12.18.

- F. Temporary Parking Lots for Events Sponsored by a Public Agency (in accordance with authority provided by Section 12.16.09 of the Zoning Ordinance, March 30, 1998).

12.11.03 Conditional Uses

- A. The following uses shall be permitted upon the granting of a Use Permit as provided in Section 12.21.
1. Public buildings and grounds.
 2. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.
 3. All uses permitted or conditionally permitted in the C-N, C-C, and C-H districts.

12.11.04 Screening and Landscaping

As required in Section 12.26.

12.11.05 Performance Standards

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.11.06 Yards

- A. There are no required front, side or rear yards except in the following instances:
1. A 10 foot front yard shall be required on all sites which adjoin an R or A District.
 2. On a reverse corner lot adjoining a key lot which is an R district, the minimum street side yard shall be not less than one half of the required front yard of the key lot.
 3. The minimum rear yard or side yard adjoining an R district shall be 20 feet.
 4. One foot shall be added to each required side yard or rear yard for each 2 feet of height or fraction thereof, by which a portion of a structure within 30 feet of such yard, exceeds 14 feet.

12.11.07 Minimum Lot Size

Area: 7,000 square feet

Lot width: 60 feet.

12.11.08 **Height of Structures**

No structure shall exceed 40 feet in height.

12.11.09 **Signs**

No sign, outdoor advertising structure, or display of any character shall be permitted except as prescribed in Section 12.20.

12.11.10 **Off-Street Parking and Loading Facilities**

Off-street parking and off-street loading facilities shall be permitted except as prescribed in Section 12.23.

12.11.11 **Design Review**

All uses shall be subject to design review as prescribed in Section 12.19.

12.11.12 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.12 PMU = PLANNED MIXED USE DISTRICT

Sections:

- 12.12.01 Purposes
- 12.12.02 Permitted Uses
- 12.12.03 Conditional Uses
- 12.12.04 Screening and Landscaping
- 12.12.05 Performance Standards
- 12.12.06 Yards
- 12.12.07 Minimum Lot Size
- 12.12.08 Height of Structures
- 12.12.09 Signs
- 12.12.10 Off-Street Parking and Loading Facilities
- 12.12.11 Design Review
- 12.12.12 General Provisions and Exceptions

12.12.01 Purposes

The purposes of the PMU District are to implement the policies of the Dixon General Plan which encourage the adaptive reuse of older residential structures near the downtown to office and retail commercial uses. The District also encourages the preservation of older architectural styles and a harmonious intermingling of office and retail uses with adjacent residential uses.

12.12.02 Permitted Uses

- A. Permitted uses in the PMU District shall include but are not limited to the following:
 - 1. Single family, duplex, and multiple dwellings.
 - 2. Retail stores, shops and office supplying commodities or performing services such as those provided by department stores, specialty shops, personal and business service establishments, antique shops, artists' supply stores and similar uses.
 - 3. Restaurants, including outdoor eating areas and establishments, but not including drive-in restaurants.
 - 4. Medical clinics, professional and administrative offices.
 - 5. Business and technical schools, and schools and studios for photography, art, music and dance
 - 6. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of Section 12.18.

12.12.03 **Conditional Uses**

- A. The following conditional uses shall be permitted in the PMU District upon the granting of a Use Permit as prescribed in Section 12.21.
1. Nightclubs and theaters.
 2. Nursery schools and day care centers.
 3. Public and quasi-public buildings and uses of a recreational, educational, religious or public service type, but not including corporation yards, storage or repair warehouses and similar uses.
 4. Any other retail business or service establishment which the Planning Commission finds to be consistent with the purposes of the article and which will not impair the present or potential use of adjacent properties.

12.12.04 **Screening and Landscaping**

- A. As provided in Section 12.26.
- B. Special care shall be taken to preserve existing trees and other significant vegetation which contributes to the character and setting of the older structures being preserved.

12.12.05 **Performance Standards**

All uses shall be subject to the provisions of Section 12.24. In addition, the hours of operation of any permitted or conditional uses except residential uses shall be limited to between 7:00 am and 10: 00 pm.

12.12.06 **Yards**

- A. Minimum building setbacks are as follows:
1. Front yard:

Required front yards shall equal or exceed the average of front yards of those 2 nearest buildings on the same street frontage or 15 feet, whichever is greater.
 2. Side yards:

Required side yards shall be a minimum of 5 feet.
 3. Rear yards:

Required rear yards shall be a minimum of 10 feet.

12.12.07 **Minimum Lot Size**

Area: 5,000 square feet

Lot width: 50 ft. except where an existing residential structure is proposed for any permitted or conditional use, no area or width minimums are applicable.

12.12.08 **Height of Structures**

No structure shall exceed 3 stories or not more than 36 feet.

12.12.09 **Signs**

No signs or display of any character shall be permitted except as provided in Section 12.20.

12.12.10 **Off-Street Parking and Loading Facilities**

Off-street parking and loading facilities shall be provided for all uses as prescribed in Section 12.23.

12.12.11 **Design Review**

All uses shall be subject to design review as prescribed in Section 12.19.

12.12.12 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions as prescribed in Section 12.16.

12.12A

PMR = PLANNED MULTIPLE RESIDENTIAL DISTRICT

Sections:

12.12A.01	Purposes
12.12A.02	Permitted Uses
12.12A.03	Conditional Uses
12.12A.04	Screening and Landscaping
12.12A.05	Performance Standards
12.12A.06	Site Area and Site Area Per Dwelling Unit
12.12A.07	Frontage, Width and Depth of Site
12.12A.08	Coverage
12.12A.09	Front Yard
12.12A.10	Side Yard
12.12A.11	Rear Yard
12.12A.12	Height of Structures
12.12A.13	Distances Between Structures
12.12A.14	Special Setbacks and Distances between Buildings
12.12A.15	Density Bonuses
12.12A.16	Signs
12.12A.17	Off-Street Parking and Loading Facilities

12.12A.01 Purposes

In addition to the objectives prescribed in Section 12.01.01, the multi-family residential district is included in the Zoning Ordinance to achieve the following purposes:

- A. To implement the Land Use & Housing Elements of the Dixon General Plan.
- B. To reserve appropriately located areas for family living in a variety of types of dwellings, with emphasis on condominiums, town homes, cluster homes, patio homes and any other form of individual ownership in multiple density project. The developments will have a reasonable range of population densities consistent with sound standards of public health and safety.
- C. To preserve as many of the desirable characteristics of one family residential districts as possible while permitting higher population densities.
- D. To ensure adequate light, air, privacy and open space for each dwelling unit.
- E. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment.
- F. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the

land around them.

- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks.
- H. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic.
- I. To protect residential properties from noise, illumination unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences.
- J. To protect residential properties from fire, explosion, noxious fumes and other hazards.

12.12A.02 Permitted Uses

The following uses shall be permitted:

- A. One family dwellings.
- B. Two family dwellings (duplexes).
- C. Condominiums, apartments, town homes, cluster homes, patio homes, half-plexes, and any other form of individual ownership in a multi-density project.
- D. Permitted uses compatible with the PMR District listed above:
 - 1. Raising of fruit and nut trees, vegetables and horticultural specialties.
 - 2. Home occupations conducted in accord with the regulations prescribed in Section 12.25.
 - 3. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house or accessory living quarters without a kitchen, storehouses, garden structures, greenhouses, recreation rooms and hobby shops, all subject to the provisions of Section 12.18.
 - 4. Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in property line as to a swimming pool or less than 3 feet from a property line as to any accessory mechanical equipment and related structures, and provided that a fence not less than 6 feet in height shall surround the pool or area within which it is located so as to prevent uncontrolled access from a street or from adjacent properties.
 - 5. Temporary subdivision sales offices, in accord with the regulations prescribed in Section 12.25.09.

12.12A.03 Conditional Uses

The following conditional uses shall be permitted within the PMR district upon the granting of a use permit, in accord with the provisions of Section 12.21:

- A. Public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools; day care centers; private nonprofit schools and colleges, not including art, craft, music or dancing schools or businesses, professional or trade schools and colleges.
- B. Public playgrounds, parks, community centers, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, not including post offices.
- C. Churches, parsonages, parish houses, monasteries, convents and other religious institutions.
- D. Public and private charitable institutions; hospitals, sanitariums and nursing homes, not including hospitals, sanitariums or nursing homes for mental or drug addict or liquor addict cases.
- E. Private noncommercial clubs and lodges.
- F. Golf courses.
- G. Lodginghouses.
- H. Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and communications equipment buildings found by the City Planning Commission to be necessary for the public health, safety or welfare.
- I. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.

12.12A.04 Screening and Landscaping

As required in Section 12.26.

12.12A.05 Performance Standards

All existing and proposed uses shall be subject to the provisions of Section 12.24.

12.12A.06 Site Area and Site Area per Dwelling Unit

- A. The minimum site area shall be 9, 000 sq. ft.
- B. The minimum site area per dwelling unit shall be 4, 350 sq. ft.

12.12A.07 Frontage, Width and Depth of Site

- A. Each site shall have not less than 40 feet of frontage on a public street.
- B. The minimum site width shall be 65 feet.
- C. Each site shall have a depth of not less than 100 feet, provided that a site fronting or rearing on a railroad right-of-way, freeway or major street shall have a depth of not less than 130 feet.

12.12A.08 Coverage

The maximum site area covered by the main structure shall be 40 percent for a permitted or conditional use.

12.12A.09 Front Yard

The minimum front yard shall be 20 feet subject to the following exceptions:

- A. On a site situated between sites improved with buildings, the minimum front yard shall be the average depth of the front yards on the improved sites adjoining the side lines of the site.
- B. Where a site is situated between one or two unimproved and where the sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard shall be the average of the existing front yard depths on the block.
- C. In computing average front yard depths 30 feet shall be used in lieu of any front yard depth greater than 30 feet.
- D. The required front yard may be reduced by 5 feet when all required off-street parking spaces are located on the rear half of the site or are entered parallel to the front property line of the site, provided that the front yard shall not be less than 10 feet.

12.12A.10 Side Yard

- A. The minimum side yard shall be as follows:

Minimum Side Yard Required	Minimum Side Yard Required For Building Over 40 Feet In Length Or Over One Story In Height
6 feet	8 feet

- B. On the street side of a corner lot, the side yard shall be 20% of the average width of the site or 20 feet, whichever is the lesser requirements, provided a side yard less than 10 feet shall not be permitted.

12.12A.11 Rear Yard

The minimum rear yard shall be 25 feet, subject to the following exceptions:

- A. The rear yard may be reduced to not less than 15 feet provided that one side yard is 20 feet or more.
- B. One foot shall be added to the required rear yard for each of 2 feet of height or fraction thereon by which a portion of a structure within 30 feet of the rear property line exceeds 14 feet in height.
- C. Accessory structures not exceeding 10 feet in height may be located in the required rear yard provided that not more than 20 percent of the area of the required rear yard shall be covered by structures and provided that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line and adjoining the street than the required front yard on the adjoining key lot. If the accessory structure is a garage or carport the minimum setback shall be 20 feet.

12.12A.12 Height of Structures

No structure shall exceed 38 feet in height.

12.12A.13 Distances Between Structures

- A. Where there is more than one structure on a site the minimum distance between structure used for human habitation and an accessory structure shall be 10 feet. The minimum distance between structures shall be increased 1 foot for each 2 feet of height, or fraction thereof, by which a portion of a structure within 30 feet of another structure exceeds 14 feet in height.
- B. Special yards required for dwelling groups:
 - 1. In case the buildings of the group are not located on the site that the rear of the buildings which face the street is itself faced by the front of a building to the rear (ie. in a front to back series) no such building shall be closer than 20 feet to any other such buildings and the side providing access shall not be less than 8 feet.

2. In case the buildings of the group are so located that the rear thereof abut upon one side yard and the fronts thereof abut the other side yard (ie. in a single row side to side series), the side yard providing access shall have a width of not less than 12 feet.
3. In case the buildings of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court (ie. in a double row side to side series) the court shall have width of not less than 20 feet.
4. In no case shall any separate buildings of the group be closer to any other buildings of the group than a distance of 10 feet.

12.12A.14 Special Setbacks and Distances Between Buildings

- A. The Planning Commission may approve special setback and distances between buildings if the applicant demonstrates that:
 1. A better or more appropriate design can be achieved by not applying the provision of the zoning district; and
 2. Adherence to the requirements of the zoning district is not required in order to insure health, safety and welfare of the inhabitants of the development or the adjacent property.
- B. Setbacks greater than those specified by the zoning district may be required where the intensity of development is greater than that of the adjacent property to such an extent that greater peripheral setbacks are needed in order to insure the health, safety and welfare of the inhabitants of the development or the adjacent property.
- C. Request for special setbacks and distances between buildings shall be supported with full written documentation of the deviation from the district standards.

12.12A.15 Density Bonuses

The Planning Commission may authorized density bonuses as provided in the following table. However, under no circumstances shall the total units of the density bonuses granted, along with other project units, exceed 13 units per acre for the entire development. Additionally, the maximum density bonus granted in any one category shall not exceed 10% of the project units.

Item

Density Bonus

- | | |
|---|--|
| A. Provision of open space and/or creation of facilities for use by non-residents as well as residents of the planned unit development. | Up to two dwelling units per every acre of natural open space or 10,000 sq. ft. of approved recreational facilities. |
| B. Provisions of low or moderate income housing, as defined by the Housing Element of the General Plan. | Up to two dwelling units per every unit so provided. |
| C. Provision of interior pedestrian trails or bicycle paths which connect with designated City trails and paths. | Up to one dwelling unit per every, 1,000 feet of paved pathway. |
| D. Application of energy resource conservation technologies. | Up to one dwelling unit per every 6 units having solar water heating system or per every 3 units having solar space heating systems or per every 3 units dependent upon passive solar heating systems. |
| E. Provisions of senior citizen housing which meets the location policy described in the Land Use Element and General Plan. | Up to one dwelling unit per every 2 units so provided. |
| F. Utilization of experimental land development methods or techniques, in conjunction with the above. | Up to one dwelling unit per every 2 dwelling units allowed above. |

12.12A.16 Signs

No sign, or display of any character, shall be permitted except as prescribed in Section 12.20.

12.12A.17 Off-Street Parking and Loading Facilities

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Section 12.23.

(Ord. No. 8409)

M INDUSTRIAL DISTRICTS

12.13 ML = LIGHT INDUSTRIAL DISTRICT

Sections:

- 12.13.01 Purposes
- 12.13.02 Permitted Uses
- 12.13.03 Conditional Uses
- 12.13.04 Screening and Landscaping
- 12.13.05 Performance Standards
- 12.13.06 Site Area
- 12.13.07 Coverage
- 12.13.08 Yards
- 12.13.09 Height of Structures
- 12.13.10 Signs
- 12.13.11 Off-street Parking and Loading Facilities
- 12.13.12 Design Review
- 12.13.13 General Provisions and Exceptions

12.13.01 Purposes

The purposes of the M-L Light Industrial Districts are to provide an environment conducive to the development of specialized manufacturing; research institutions and administrative facilities all of a non nuisance type in locations as indicated in the Land Use Element of the Dixon General Plan.

12.13.02 Permitted Uses

The following uses shall be permitted:

- A. Light industrial and related uses, including but not limited to the following:
 - 1. Manufacturing, assembling, compounding, packaging and processing of articles or merchandise from the following previously prepared materials: asbestos, bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fiber and synthetic fiber, fur, glass, hair, horn, leather, paint, (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood (not including a planing mill or a saw mill).
 - 2. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceutical, perfumes, perfumed toilet soap (not including refining or rendering of fats or oils) and toiletries.
 - 3. Manufacture of ceramic products, such as pottery, figurines and small glazed tile, utilizing only previously pulverized clay.

4. Manufacture and maintenance of electric and neon signs, commercial advertising structures and light sheet metal products including heating and ventilating ducts and equipment, cornices, eaves, and the like.
 5. Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, optical goods, watches and clocks, electronics equipment, precision instruments, musical instruments, cameras and photographic equipment.
 6. Assembly of small electric appliances such as lighting fixtures, irons, fans, toasters, and electric toys but not including refrigerators, washing machines, dryers, dishwashers and similar home appliances.
 7. Assembly of electrical equipment such as radio and television receivers, phonographs and home motion picture equipment but not including electrical machinery.
 8. Manufacture and assembly of electrical supplies such as coils, condensers, insulation, lamps, switches and wire and cable assembly, provided no noxious or offensive fumes or odors are produced.
 9. Manufacture of cutlery, hardware and hand tools; die and pattern making; metal stamping and extrusion of small products such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.
 10. Bottling works; bus depots and transit stations; cold storage plants; dairy products plants; freight forwarding terminals; furniture manufacture; ice manufacture; laboratories; lumber yards not including planing mills or saw mills; mattress manufacture; printing, lithographing and engraving; public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks, communication equipment, building, storage yards for commercial vehicles; textile, knitting and hosiery mills; transit yards; trucking terminals; warehouses; petroleum bulk storage not closer than 500 feet to an R District.
 11. Blacksmith shops; machine shops not involving the use of drop hammers, automatic screw machines or punch presses with a rated capacity of over 20 tons; manufacturing, canning and packing of foods and food products, including fruits and vegetables but not including fish and meat products pickles, sauerkraut, vinegar or yeast or refining or rendering of fats or oils; metal finishing and plating; railroad stations; small boat building; welding shops; woodworking shops and sash and door manufacturing, including only incidental mill work which shall be conducted within a completely enclosed structure; provided that the uses prescribed in this paragraph shall be located not closer than 250 feet to an R District.
- B. Restaurants, including drive-in restaurants, and service stations.
- C. Offices, retail stores and watchmen's living quarters all incidental to and on the same site with an industrial use.
- D. Parking lots improved in conformity with the standards prescribed in Section 12.23.

- E. Wholesale establishments and warehouses.
- F. Accessory structures and uses located on the same site as a permitted use, subject to the provisions of Section 12.18.
- G. Any permitted use located within 250 feet of an R District shall be subject to the provisions of Section 12.21 Conditional Uses.
- H. Temporary Parking Lots for Events Sponsored by a Public Agency (in accordance with authority provided by Section 12.16.09 of the Zoning Ordinance, March 30, 1998).

12.13.03 **Conditional Uses**

- A. The following uses shall be permitted upon the granting of a Use Permit in accord with the provisions of Section 12.21.
 - 1. Any use listed in Section 12.13.02 which is located within 250 feet of an R District.
 - 2. Outdoor storage when completely screened from view from a public street or highway. Such storage area must be accessory to a permitted use.
 - 3. Public buildings and grounds.
 - 4. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.

12.13.04 **Screening and Landscaping**

As required in Section 12.26.

12.13.05 **Performance Standards**

All uses shall be subject to the provisions of Section 12.24.

12.13.06 **Site Area**

The minimum site area shall be 20,000 sq. ft.

12.13.07 **Coverage**

The maximum site area covered by structures shall be 40 percent.

12.13.08 **Yards**

A. The minimum setback for all structures shall be as follows:

1. Front yard:
10 feet except when adjoining an A or R District and fronting on the same street, in which case the minimum front yard shall be 15 feet.
2. Side yard:
None, except when adjacent to an A or R District, in which case the minimum side yard shall be 50 feet.
3. Rear yard:
10 feet, except that on a site adjoining an A or R District the minimum rear yard shall be 50 feet.
4. One foot shall be added to each side yard or rear yard for each 2 feet in height or fraction thereof by which a portion of a structure within 30 feet of the nearest side or rear property line exceeds 14 feet in height.
5. No use shall occupy a required front, side or rear yard except landscaping, parking areas and driveways.

12.13.09 **Height of Structures**

No structure shall exceed 40 feet in height.

12.13.10 **Signs**

No sign or display of any character shall be permitted except as provided in Section 12.20.

12.13.11 **Off-Street Parking and Loading Facilities**

Off-street parking and loading facilities shall be provided as prescribed in Section 12.23.

12.13.12 **Design Review**

All uses shall be subject to design review as prescribed in Section 12.19.

12.13.13 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.14

MH = HEAVY INDUSTRIAL DISTRICT

Sections:

- 12.14.01 Purposes
- 12.14.02 Permitted Uses
- 12.14.03 Conditional Uses
- 12.14.04 Screening and Landscaping
- 12.14.05 Performance Standards
- 12.14.06 Site Area
- 12.14.07 Coverage
- 12.14.08 Yards
- 12.14.09 Height of Structures
- 12.14.10 Signs
- 12.14.11 Off-Street Parking and Loading Facilities
- 12.14.12 Design Review
- 12.14.13 General Provisions and Exceptions

12.14.01 Purposes

The purpose of the M-H, Heavy Industrial District is to encourage the development of manufacturing, storage, processing, printing, assembly, sorting, wholesaling, and warehousing activities in close proximity to one another without encroachment or disturbance of incompatible land uses in areas designated for such uses in the Dixon General Plan.

Typically the M-H District would be applied to areas where large acreage were available and where the unsightliness, noise, odor, traffic and hazards associated with certain industrial uses would not adversely impact residential and commercial uses.

12.14.02 Permitted Uses

The following uses shall be permitted:

A. All permitted uses in the M-L District.

B. Heavy industrial and related uses, including but not limited to the following:

- | | |
|---|--|
| 1. Aircraft and aircraft accessories and parts manufacture, | 8. Breweries, distilleries and wineries, |
| 2. Automobile, truck and trailer accessories and parts manufacture, | 9. Building materials manufacture and assembly including composition wall boards, partitions, panels and prefabricated structures, |
| 3. Automobile, truck and trailer assembly, | 10. Business machines manufacture including accounting machines, calculators, card-counting equipment and typewriters, |
| 4. Bag cleaning, | 11. Can and metal container manufacture, |
| 5. Battery manufacture, | 12. Candle manufacture not including |
| 6. Boiler works, | |
| 7. Box factories and cooperage, | |

- rendering,
13. Carpet and rug manufacture,
14. Cement products manufacture including concrete mixing and batching,
15. Chemical products manufacture provided no hazard of fire or explosion is created, including adhesives, bleaching products, bluing, calcimine, dyestuffs (except aniline dyes), essential oils, soda and compounds and vegetable gelatin, glue and size,
16. Clay products manufacture including bricks, fire brick, tile and pipe,
17. Cork manufacture,
18. Cotton ginning and cotton wadding and linter manufacture,
19. Firearms manufacture,
20. Flour, feed and grain mills,
21. Food products manufacture including such processes as cooking, dehydrating, roasting, refining, pasteurization and extraction involved in the preparation of such products as casein, cereal, chocolate, and cocoa products, cider and vinegar, coffee, fruits and vegetable, glucose, milk and dairy products, molasses and syrups, oleomargarine, pickles, rice, sauerkraut, sugar, vegetable oils and yeast,
22. Glass and glass products manufacture,
23. Grain Elevators,
24. Graphite and graphite products manufacture,
25. Gravel, rock and cement yards,
26. Hair, felt and feathers processing,
27. Ink manufacture,
28. Jute, hemp, sisal, and oakum products manufacture,
29. Leather and fur finishing and dyeing, not including tanning and curing,
30. Machinery manufacture including heavy electrical, agricultural, construction and mining machinery and light machinery and equipment such as air conditioning, commercial motion picture equipment, dishwashers, dryers, furnaces, heaters, refrigerators, stoves and washing machines,
31. Machine tools manufacture including metal lathes, metal presses, metal stamping machines and woodworking machines,
32. Match manufacture,
33. Meat products processing and packaging
34. not including glue and size manufacture, Metal alloys and foil manufacture including solder, pewter, brass and bronze and tin, lead and gold foil,
35. Metal casting and foundries not including magnesium foundries,
36. Motor and generator manufacture,
37. Motor testing of internal combustion motors,
38. Painting, enamelling and lacquering shops,
39. Paper products manufacture including shipping containers, pulp goods, carbon paper and coated paper stencils,
40. Paraffin products manufacture,
41. Plastics manufacture,
42. Porcelain products manufacture including bathroom and kitchen fixtures and equipment,
43. Precious metals reduction, smelting and refining,
44. Railroad equipment manufacture including railroad car and locomotive manufactures,
45. Railroad freight stations, repair shops and yards,
46. Rubber products manufacture including tires and tubes,
47. Sandblasting,
48. Shoe polish manufacture,
49. Starch and dextrine manufacture,
50. Steel products manufacture and assembly including steel cabinets and lockers, doors, fencing and furniture,
51. Stone products manufacture and stone processing including abrasive, asbestos, stone screening and sand and lime products,
52. Storage, sorting, collecting or baling of iron, junk paper, rags or scrap metal within completely enclosed structures,
53. Structural steel products manufacture including bars, girders, rails and wire rope,
54. Textile bleaching,
55. Tobacco curing and processing,
56. Wire and cable manufacture,
57. Wood and lumber processing and woodworking including planing mills and saw mills, excelsior, plywood, veneer and wood-preserving treatment,
58. Wood scouring and pulling,
59. Firewood yards.

C. Accessory uses subject to the provisions of Section 12.18.

- D. Any permitted uses located within 1,000 feet of an R District is subject to the provisions of Section 12.21. Conditional Uses.
- E. Temporary Parking Lots for Events Sponsored by a Public Agency (in accordance with authority provided by Section 12.16.09 of the Zoning Ordinance, March 30, 1998).

12.14.03 Conditional Uses

The following uses shall be permitted upon the securing of a Use Permit as prescribed in Section 12.21.

A. Any permitted use which is within 250 feet on an R District.

B. The following uses and other uses which involve nuisances, dangers of fire or explosion or other hazards to health and safety:

- | | |
|--|--|
| 1. Airports and heliports, | 22. Manure, peat and topsoil processing and storage, |
| 2. Cement, lime, gypsum and plaster of paris manufacture, | 23. Metal and metal ores reduction, refining, smelting and alloying, |
| 3. Charcoal, lampblack and fuel briquettes manufacture, | 24. Motor vehicle wrecking yards, |
| 4. Chemical products manufacture including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroxylin, rayon yarn, and carbolic, hydrochloric, picric and sulphuric acids, | 25. Paint manufacture including enamel, lacquer, shellac, turpentine and varnish, |
| 5. Coal, coke and tar products manufacture, | 26. Paper mills, |
| 6. Drop forges, | 27. Petroleum and petroleum products refining including gasoline, kerosene, naphtha and oil, |
| 7. Dumps and slag piles, | 28. Petroleum and petroleum products storage, |
| 8. Explosive manufacture and storage, | 29. Rifle ranges, |
| 9. Fertilizer manufacture, | 30. Rolling mills, |
| 10. Film manufacture, | 31. Rubber manufacture or processing including natural or synthetic rubber and gutta-percha, |
| 11. Fireworks manufacture and storage, | 32. Soap manufacture including fat rendering, |
| 12. Fish products processing and packaging, | 33. Steam plants, |
| 13. Garbage dumps, | 34. Stockyards, slaughter of animals, fat rendering, |
| 14. Gas manufacture or storage, | 35. Stone quarries, gravel pits, mines and stone mills, |
| 15. Gas and oil wells. | 36. Storage of used building materials, |
| 16. Gelatin, glue and size manufacture from animal or fish refuse, | 37. Tallow manufacture, |
| 17. Incineration or reduction or dumping of garbage, offal and dead animals, | 38. Tanneries and curing and storage of rawhides, |
| 18. Junk yards, | 39. Wood and bones distillation, |
| 19. Lard manufacture, | 40. Wood pulp and fiber reduction and processing, |
| 20. Linoleum and oil cloth manufacture, | 41. Insecticides, fungicides, disinfectants and similar industrial and household chemical compounds manufacture. |
| 21. Magnesium foundries, | |

C. Public buildings and grounds.

- D. Accessory structures and uses located on the same site as a conditional use, subject to the provisions of Section 12.18.

12.14.04 Screening and Landscaping

As required in Section 12.26.

12.14.05 Performance Standards

All existing and proposed uses are subject to the provisions of Section 12.24.

12.14.06 Site Area

The minimum site area shall be 40,000 square feet.

12.14.07 Coverage

The maximum site area covered by structures is 40%.

12.14.08 Yards

- A. Front yard:
The minimum front yard shall be 10 feet, except that on a site adjoining an R or A District and fronting on the same street the minimum front yard shall be 15 feet.
- B. No side yard is required, except that on a site adjoining an R or A District, the minimum side yard adjoining such district shall be 50 feet.
- C. The minimum rear yard shall be 10 feet, except that on a site adjoining an R or A District the minimum rear yard shall be 50 feet.
- D. One foot shall be added to each side or rear yard for each 2 feet in height or fraction thereof by which a portion of a structure within 30 feet of the nearest side or rear property line exceeds 14 feet in height.
- E. No use shall occupy a required front side or rear yard within 50 feet of an R or A District except landscaping, parking areas and driveways.

12.14.09 Height of Structures

No structure within 200 feet of an R or A District shall exceed 40 feet in height and no structure within 500 feet of an R or A District shall exceed 75 feet in height.

12.10.10 Signs

No sign, display or any character shall be permitted except as prescribed in Section 12.20.

12.14.11 **Off-Street Parking and Loading Facilities**

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Section 12.23.

12.14.12 **Design Review**

All uses shall be subject to design review as prescribed in Section 12.19.

12.14.13 **General Provisions and Exceptions**

All uses shall be subject to the general provisions and exceptions prescribed in Section 12.16.

12.15 PLANNED DEVELOPMENT (P-D) DISTRICT

Sections:

- 12.15.01 Purposes
- 12.15.02 Applicability
- 12.15.03 Regulations Established
- 12.15.04 Initiation of Zone Change
- 12.15.05 Procedure for Applying
- 12.15.06 Contents and Approval of Preliminary Application
- 12.15.07 Permitted Uses Prior to Approval
- 12.15.08 Final Application-Submission
- 12.15.09 Same-Contents; Approval
- 12.15.10 Time Limit on Planned Development
- 12.15.11 Planning Commission Review and Findings
- 12.15.12 When Deemed Established; Designation on Zoning Map
- 12.15.13 Permitted Uses
- 12.15.14 Height, Area, Lot and Yard Requirements
- 12.15.15 Revisions in Final Planned Development Application

12.15.01 Purposes

The purpose of the planned development district is to allow diversification in the relationship of various buildings, structures, and open spaces in order to be relieved from the rigid standards of conventional zoning. A planned development district shall comply with the regulations and provisions of the general plan and any applicable specific plan shall provide adequate standards to promote the public health, safety and general welfare without unduly inhibiting the advantages of modern building techniques and planning for residential, commercial or industrial purposes. The criteria upon which planned development districts shall be judged and approved will include the development of sound housing for persons of low, moderate and high income levels, residential developments which provide a mix of housing styles and costs, creative approaches in the development of land, more efficient and desirable use of open area, variety in the physical development pattern of the City and utilization of advances in technology which are innovative to land development.

12.15.02 Applicability

The Planned Development (P-D) District shall be applied to parcels of land of any size which are deemed suitable for the proposed development. Any such proposed development shall be in conformity with the general plan or any applicable specific plan and the requirements of the Zoning Ordinance as they relate to land use designated in the general plan.

12.15.03 Regulations Established

The specific regulations and the general rules set forth in Section 12.15 shall apply in all planned development districts; provided, however; that all uses and development plans in the P-D zones shall also be subject to other provisions of the Zoning Ordinance; except, where conflict in regulations occurs, the regulations specified in Section 12.15 shall prevail.

12.15.04 Initiation of Zone Change

An application for a zoning amendment may be initiated in accordance with Section 12.30 by the City Council, Planning Commission or one or more of the property owners.

12.15.05 Procedure for Applying for District Generally

- A. Application for a planned development district (hereinafter sometimes referred to as P-D) may be submitted as two separate applications as provided in this Section. Such applications are described as the preliminary application and the final application. Except as otherwise provided in this Section, an application for a P-D zone shall be treated as any other amendment to the Zoning Ordinance.
- B. When an application for a planned development district is initiated by the City Council and/or the Planning Commission, the following criteria shall apply:
 - 1. The processing of zoning amendments by the City Council and/or Planning Commission shall be treated as if the application has been filed with the Planning Department by the property owner.
 - 2. The preliminary development plan shall designate land use classifications, development densities and street circulation patterns. Other data required for a preliminary application hereinafter described may be included. Such data normally will be developed in cooperation with the landowner.
 - 3. No fee shall be charged for applications initiated by the City Council or Planning Commission.
- C. At the discretion of the applicant, preliminary and final applications may be combined in which case, the initial submittal shall be in the form prescribed in Section 12.15.09 (final application) along with the information required in Section 12.15.06.

- A. An application for a planned development district shall include a preliminary development plan which, if approved by the City Council, shall become a part of the zoning map of the City. The preliminary application shall contain the following basic information; where applicable; provided, that the Planning Commission or City Council may require such additional information as is deemed reasonably necessary to properly interpret and evaluate such application:
1. Topography of the land and contour intervals and all existing natural features of the land.
 2. Proposed street layout and lot design, off-street parking and loading zones. This should include proposed circulation of vehicles, goods, pedestrians and bicycles. Any special engineering features and traffic regulation devices needed for public safety shall be shown.
 3. Areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public or quasi-public buildings and other such uses.
 4. Land uses proposed for the zone.
 5. An enumeration of anticipated differences between Zoning Ordinance standards and the proposed plan.
 6. A detailed calculation of density. The calculation shall be made by dividing the number of net acres into the total number of units. Net acres is defined as all that land within the subject parcel, excluding all public and private streets, neighborhood parks and public greenbelt.
 7. A variety of well designed dwelling and building types is encouraged. Residential lot sizes for proposed single-family detached dwelling units may be reduced to less than the standards for conventional zoning if drawings are submitted which show that the relationship of interior and exterior living or working area is desirable and adequate.
 8. Preliminary elevations and/or perspective drawings of all proposed structures. Such drawings need not be detailed. The purpose of such drawings is to indicate with reasonable clarity the height of proposed buildings and the general appearance of the structures.
 9. A preliminary study of facilities required such as drainage, sewage and public utilities.
 10. A preliminary detailed description of housing prices.

- B. If the City Council finds that such application is in conformity with the General Plan, and the intent of the Zoning Ordinance, and that the property is suitable for the proposed development, it may approve such application. If such application is not in such conformity, the application shall not be approved. Approval of a preliminary application shall not necessarily require the approval of the final application and shall not preclude revisions to the final P-D as appropriate.
- C. No transfers of density shall be allowed to or from any property beyond the boundaries of the property subject to the application.
- D. Full compliance with the environmental review process should be completed no later than the time of hearing the preliminary application before the Planning Commission.

12.15.07 Permitted Uses Prior to Approval of Final Application

During review of applications for P-D zoning and prior to approval of a final application, no uses of the property subject to such application shall be allowed other than principal permitted uses allowed in an agricultural (A) district, or the principal uses of the property existing at the time of the planned development application. No building permit for new structures, other than accessory uses, shall be permitted during such application period.

12.15.08 Final Application - Submission

The final application may be submitted at any time subsequent to approval of the preliminary application by the City Council. The Planning Commission may approve the final application which shall not be reviewed by the City Council unless appealed to that body. No public hearing need be held unless the Planning Director or the Planning Commission deems it is in the public interest to hold such hearing.

12.15.09 Final Application - Approval

- A. The final application shall contain the following data and information, where applicable; provided, that the Planning Commission may require such additional information as is deemed reasonable necessary to properly interpret and evaluate such application:
 - 1. Access, traffic, bicycle and pedestrian ways and easements, including location grades, widths of all streets, location and size of all utilities, drainage structures, regarding and other improvements.
 - 2. Types and/or areas for commercial uses, off-street parking, multiple-family dwellings and other uses to be established within the district.
 - 3. Locations of buildings on the land, including all dimensions necessary to indicate

size of structure, setbacks and yard areas, including existing buildings. Relationship of buildings to nearest off-site development in all directions shall be shown.

4. Landscaping, fencing and screening.
 5. Elevations and/or perspective drawings as submitted with the preliminary application.
 6. Description of all open areas and a statement disclosing the means whereby such open space shall be provided for public use and preserved.
 7. Statement setting forth a program for installation and maintenance of parking areas, lighting, landscaping, private grounds, streets, utilities and open areas.
 8. Proposed tentative subdivision map or parcel map if property is proposed to be divided.
 9. Description of all phases of development and estimated timing for completion of phases and total project.
- B. If the Planning Commission finds that such application is in conformity with the General Plan and the intent of Section 12.15, it may approve the application. If such application is not in such conformity, the application shall not be approved.

12.15.10 Time Limit on Planned Development

The approval of a final planned development plan shall become null and void if substantial construction in good faith reliance on the approval has not commenced within an eighteen-month period subsequent to such approval, and a finding has been made by the Planning Commission to the effect that such substantial construction has not commenced.

Such expiration date may be extended by the Planning Commission for a single one year period upon a showing that circumstances and conditions upon which the final P-D was approved have not changed. If the owner of property in a P-D district has failed to commence substantial construction in good faith reliance on the approval, the Planning Commission may initiate proceedings to rezone the P-D district or amend the development plans as necessary.

12.15.11 Planning Commission Review and Findings

In order to grant a final planned development application, the Planning Commission shall find that the following are true:

- A. The property owner can commence substantial construction within eighteen months from the date of the final planned development approval and intends to complete the construction within a reasonable time.

- B. The proposed development conforms to the general plan and any specific plans approved for that area by the City.
- C. Any residential development shall constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood. The applicant shall demonstrate that sites for public facilities are adequate to serve the anticipated population and that standards for open space are at least equivalent to standards otherwise specified in the Zoning Ordinance.
- D. Any industrial and research uses shall be appropriate in area, location and overall planning for the purpose intended, and the design and development standards shall create an industrial or research environment of sustained desirability and stability and such development shall meet performance standards established by the Zoning Ordinance.
- E. Any institutional, recreational and other similar nonresidential uses shall be appropriate in area, location and overall planning for the purpose proposed and surround area shall be protected from any adverse effects from such development.
- F. The auto, bicycle and pedestrian traffic system shall be adequately designed to meet anticipated traffic and shall be so designed to provide the minimum amount of interference with each other.
- G. Commercial development can be justified economically at the location proposed and that adequate commercial facilities of the types proposed will be provided.

12.15.12 When Deemed Established; Designation on Zoning Map

A P-D district shall be established as of approval of the preliminary application by the City Council and shall be designated on the official zone map by the symbol "P-D" and by an identifying serial number. Such number shall refer to the preliminary development plans for the particular "P-D" zone.

12.15.13 Permitted Uses

The principal permitted uses of land in a P-D district shall be any use or combination of uses shown on the approved preliminary development plan which are so arranged and designed to provide a development which is in conformity with the general plan and which is consistent with the requirements of Section 12.15.

12.15.14 **Height, Area, Lot and Yard Requirements**

All uses in a P-D district shall conform to the height, area, lot and yard, parking, loading, and other standards normally required for such uses, except where the total development will be improved by deviation from these standards and such deviations are identified as previously set forth herein.

12.15.15 **Revisions in Final Planned Development Application**

- A. No deviation of substance from an approved final P-D shall be permitted.
- B. Minor revisions consistent with the approved final development plans may be approved by the Planning Commission. Any change which is determined to be substantial change may be approved only as a zoning change.
- C. For the purpose of this section, "substantial change" shall mean any change in land usage, elimination, addition or rerouting of streets, highways or any other change materially affecting the approved plan. If question or controversy arises as to whether or not a proposed change is a substantial change, the question shall be determined by the Planning Commission.
- D. The Planning Commission may designate types of minor revisions allowed which may be approved by the Design Review Commission or Planning Director.

Sections:

12.16.01	Conformity with District Regulations
12.16.02	Use of Nonconforming Sites
12.16.03	Yard Spaces
12.16.04	Coverage - Measurement
12.16.05	Minimum Yard Requirements - Measurements
12.16.06	Yard Requirements - Exceptions
12.16.07	Height Limitations - Measurements
12.16.08	Height Limitations - Exceptions
12.16.09	Determination of Permitted Use
12.16.10	Secondary Living Units

12.16.01 Conformity with District Regulations

- A. No site or structure shall be used or designated for use for any purpose or in any manner other than in conformity with the regulations for the district in which the site or structure is located.
- B. No structure shall be erected and no existing structure or use shall be moved, altered or enlarged except in conformity with the regulations for the district in which the structure or use is located.
- C. No yard or other open space surrounding any structure or use shall be used, encroached upon or reduced in any manner except in conformity with the regulations for the district in which the yard or open space is located.
- D. No site held in one ownership on or at any time thereafter shall be reduced in any manner below the minimum area, frontage, width or depth prescribed for the district in which the site is located.
- E. Where 2 or more parcels of record are owned by the same person, or other legal entity and 1 or more parcels are less than 50 feet in width and less than 5,000 square feet in area, such substandard parcel may not be sold or developed separately from the adjacent parcels. Such parcels may be resubdivided so as to create 2 or more parcels which meet the lot width and site area requirements of this ordinance. If one such parcel meets the minimum lot width and site area requirements but the other(s) do not, such parcel meeting lot width and site area minimums cannot be sold or developed separately, but may be resubdivided by including portions of adjoining parcels to create new parcels which meet the minimum lot width and site area requirements of the Zoning Ordinance.

12.16.02 Use of Nonconforming Sites

Except otherwise provided in this section a site having an area, frontage, width or depth less than the minimum prescribed for the district in which the site is located, which is shown on a duly approved subdivision map, or for which a deed or valid contract of sale was of record prior to and which had legal area, frontage, width and depth at the time that the subdivision map, deed or contract of sale was recorded, may be used for any permitted use, but shall be subject to all regulations for the district in which the site is located and Section 12.16.01.

12.16.03 Yard Spaces

No yard space provided about any structure in compliance with the regulations for the district in which it is located shall be deemed to provide a yard space for a structure on any other side.

12.16.04 Coverage - Measurement

The percent of the site area covered by structures shall be measured by dividing the number of square feet of horizontal area covered by structures, open or enclosed, by the total horizontal area within the property line of the site.

12.16.05 Minimum Yard Requirements - Measurement

- A. FRONT OR STREET SIDE YARDS. Minimum required yards shall be measured from the back of sidewalk, or the property line where no sidewalk exists. Where official plan lines exist such yards shall be measured from such official plan line. If a proposed new sidewalk or right-of-way differs from that existing, then the required yard shall be measured from the proposed location of the new sidewalk or property line as adopted by the City.
- B. REAR OR INTERIOR SIDE YARDS. Minimum required yards shall be measured from the property line the required distance to a line parallel thereto on the site.

12.16.06 Yard Requirements - Exceptions

- A. Architectural features including sills, chimneys, cornices and eaves may extend into a required side yard or a space between structures not more than 2 feet and may extend into a required front or rear yard not more than 4 feet.

- B. Open, unenclosed, uncovered balconies, porches, platforms, stairways and landing places no part of which is more than 4 feet above the surface of the ground may extend into a required yard or space between buildings not more than 4 feet, except into the required 12 feet side yard in the R-1 District.
- C. Open, unenclosed, uncovered metal fire escapes may project into any required yard or space between buildings not more than 3 feet.
- D. Fences, walls, hedges, walks, driveways and retaining walls may occupy any required yard or other open space, subject to the limitations prescribed in the district regulations and Section 12.26.

12.16.07 **Height Limitations - Measurement**

The height of a structure shall be measured vertically from the average elevation of the surface of the ground covered by the structure to the highest point of the structure or to the coping of a flat roof, to the deck line of a mansard roof or the mean height between eaves and ridges for a hip, gable or gambrel roof.

12.16.08 **Height Limitations - Exceptions**

- A. Towers, spires, cupolas, chimneys, penthouses, water tanks, flagpoles, monuments, scenery lofts, radio and television aerials and antennas, transmission towers, fire towers, and similar structures and necessary mechanical appurtenances covering not more than 10 percent of the ground area covered by the structure may be erected to a height not more than 25 feet above the height limit prescribed by the regulations for the district in which the site is located.
- B. Utility poles and towers shall not be subject to the height limits prescribed in the district regulations.

12.16.09 **Determination of Permitted Use**

Whenever the Planning Director believes that a proposed use should be considered a permitted use in any zone district even though it is not in the list of permitted uses of that district, such use may be approved. Prior to the approval of such use the Planning Director shall first notify the Planning Commission and City Council of his intent to approve such use. If there are no objections to such use being added to the list of permitted uses, the Planning Director shall approve it. If there are objections or questions about the appropriateness of such use, the matter shall be referred to the Planning Commission for their decision. Such decision is subject to appeal as provided in Section 12.28.

12.16.10 **Secondary Living Units**

A secondary living unit may be located on any lot containing an existing single family dwelling provided the following conditions are met:

- A. The lot is in a zone district which permits single family dwelling, including Planned Developments and Planned Unit Developments.
- B. A use permit is granted in accordance with Section 12.21. (Ord. No. 8306)

12.17 **PLANNED UNIT DEVELOPMENTS**

Sections:

- 12.17.01** Purposes
- 12.17.02** Planned Unit Development Permit
- 12.17.03** Submission and Review of Planned Unit Development Permit Application
- 12.17.04** Concept Plan Review
- 12.17.05** Concept Plan Review Conference
- 12.17.06** Determination of Environmental Effect
- 12.17.07** Development Plan Review
- 12.17.08** Development Plan
- 12.17.09** Development Plan Review Conference
- 12.17.10** Environmental Impact Report
- 12.17.11** Planning Commission Decision
- 12.17.12** Revised Development Plan Review
- 12.17.13** Revocation and Expiration of Development Permit
- 12.17.14** Extension of Time
- 12.17.15** Appeals
- 12.17.16** General Development Standards
- 12.17.17** Permitted Uses
- 12.17.18** Setbacks and Spacing Between Buildings
- 12.17.19** Density
- 12.17.20** Required Open Space and Recreation Facilities
- 12.17.21** Circulation and Access
- 12.17.22** Applicability of General Regulations

12.17.01 **Purposes**

The purpose of planned unit development approval is to allow diversification in the relationship of various buildings, structures and open spaces in planned building groups and the allowable heights of such buildings and structures, while insuring substantial compliance with the regulations and provisions of this Chapter, in order that the intent of the Zoning Ordinance in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of modern large-scale planning for residential, commercial or industrial purposes. Provisions for a more desirable living environment than would be possible through the strict application of the requirements of the Zoning Ordinance are encouraged. Developers are encouraged to use more creative approaches in the development of land, to encourage more efficient, aesthetic and desirable use of open areas and open land and to encourage variety in the physical development pattern of the City.

12.17.02 **Planned Unit Development Permit**

It is the intent of these provisions that a planned unit development permit be regarded as a type of use permit and except as otherwise provided by the Zoning Ordinance, all provisions of the use permit procedure, Section 12.21, shall apply to planned unit development permits. It is the future intent of these provisions to coordinate the planned unit development permit procedure as closely as possible with the requirements of the subdivision ordinance, when applicable, and the Environmental Impact Review process.

12.17.03 **Submission and Review of Planned Unit Development Permit Application**

- A. Applications for planned unit development permits shall follow the provisions of Section 12.21, except that in lieu of the documents described in Section 12.21.03, the applicant shall submit a concept plan comprising the following elements:
 - 1. A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed planned unit development, including proposed uses and activities, proposed residential densities if appropriate, and physical land alteration required by the development; and the relation of the proposed planned unit development to the City of Dixon General Plan.
 - 2. A generalized site plan showing the entire parcel with schematic indications of approximate locations of buildings, public and private rights-of-way, parking and loading areas, public and private open spaces, walkways, planting areas, etc.
 - 3. An Environmental Impact Initial Study as provided by CEQA guidelines and procedures.
- B. By applying for the granting of a planned unit development permit, the applicant initiates a three step review process comprising concept plan review, development plan review, and revised development plan review, which process must be completed prior to the issuance of planned unit development permit. Each step of the review process is described in detail commencing at Section 12.17.04.

12.17.04 **Concept Plan Review**

- A. The concept plan review is designed to inform an applicant for a planned unit development permit of the applicable regulations of the City of Dixon, to inform the City Planning Department of the applicant's intentions, and to provide an opportunity to identify environmental and other pertinent

considerations associated with a proposed planned unit development before a substantial commitment of resource occurs.

- B. Timing. Concept plan review shall be initiated by application for the granting of a planned unit development permit.
- C. Elements of Review. Concept plan review includes the following elements: Concept Plan Review Conference held by the City Planning Department and a review of the Environmental Impact Initial Study and determination of impact by the City Planning Department.

12.17.05 Concept Plan Review Conference

Upon receipt of an application for the granting of a planned unit development permit, the Planning Director shall schedule a Concept Plan Review Conference to be held within 10 days of the receipt of said application. At said conference, the applicant or his authorized agent shall present the concept plan submitted pursuant to Section 12.17.03 and receive comments from the Planning Department staff attending the conference. At the discretion of and as deemed desirable and necessary by the Planning Director, representatives from other City or public departments, agencies, boards, or panels may be invited to attend the conference.

12.17.06 Determination of Environmental Effect

Following the submission of an Environmental Impact Initial Study pursuant to application for the granting of a planned unit development permit, and within the time limit prescribed by CEQA guidelines and procedures, the City Planning Department shall determine if the proposed planned unit development could have significant environmental effects and requires the preparation of an Environmental Impact Report. If the proposed planned unit development is determined to require an Environmental Impact Report, the applicant shall be required to fund the cost of the preparation of a draft Environmental Impact Report.

12.17.07 Development Plan Review

- A. Intent. Development plan review shall provide an opportunity for detailed review of proposed planned unit developments by City of Dixon officials and the general public.
- B. Timing. Development plan review shall be initiated by the Planning Director after the completion of all of the elements of concept plan review, and upon the receipt from the applicant of a development plan.
- C. Elements of Review. Development plan review includes the following elements: A development plan review conference; preparation and

submission of a draft Environmental Impact Report, if required, by the applicant; public review and response to the Development Plan and the draft Environmental Impact Report through public hearing; preparation of the final Environmental Impact Report; and decision by the Planning Commission on the Development Plan and the final Environmental Impact Report.

- D. Coordination with subdivision ordinance. It is the intent of these provisions that subdivision review under the subdivision ordinance, if required, be carried out simultaneously with the review of the proposed planned unit development prescribed by this section of the Zoning Ordinance.

12.17.08 Development Plan

The development plan shall be prepared by the applicant based on the concept plan as revised during concept plan review. All elements required within the development plan shall be characterized as existing or proposed, and be sufficiently detailed to indicate intent and impact. The development plan shall include the following:

- A. Statement of Intent. An overall development scheme which states the development intentions of the landowner respecting his property, including but not limited to the following: a statement of location and intensity of proposed uses and activities including public and private open spaces; a physical description of proposed facilities accommodating such uses, including types of buildings, structures and landscape and circulation elements; a statement of location and general configuration of lands to be dedicated for public open space and other public uses; a general designation of utilities; a general statement of the form of site management proposed in areas of significant natural resources; and a statement detailing the consistency of the proposed development project with major public development programs, including but not limited to freeways, highways, parks, trails, open space, utility transmission lines and the phased schedules proposed major public facilities.
- B. Site plan requirements. The Statement of Intent required in Subsection A above shall be supported by such graphics as are necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, and open space. Said graphics shall as a minimum indicate: perimeter boundaries of the site; streets and driveways, sidewalks and pedestrian-ways, and off-street parking and loading areas; location and approximate dimension of buildings and structures; utilization of buildings and structures, including activities and the number of living units; reservations for public uses, including schools, parks, playgrounds, and other open spaces; and major landscaping proposals. The Director may require graphics presenting additional information as he determines is necessary to

support the Statement of Intent.

12.17.09 Development Plan Review Conference

Upon receipt of the completed development plan, the Planning Director shall schedule a development plan review conference, to be held within 30 days of the receipt of said plan. At least the following shall be considered at the conference: compliance of various elements proposed in the development plan with the planned unit development standards, commencing at Section 12.17.16 and other applicable regulations and ordinances of the City of Dixon; new information, if any, not previously noted in the concept plan that would necessitate the inclusion of supplemental information in the Environmental Impact Report; and particular subjects proposed in the development plan to receive special detailed attention in the Environmental Impact Report. The development plan shall be made available for public review and comment concurrently with the release of the draft Environmental Impact Report.

12.17.10 Environmental Impact Report

Following the review conference, a draft Environmental Impact Report, if required, shall be prepared in accordance with CEQA guidelines and procedures.

12.17.11 Planning Commission Decision

In order to grant a planned unit development permit, the Planning Commission shall find the following as contained herein:

- A. That the proposed development conforms to the City General Plan in terms of general location and general standards of development.
- B. In the case of proposed residential developments, that such developments will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding neighborhood, and will result in an intensity of land utilization not substantially higher than, and standards of open spaces at least as high as permitted or specified otherwise, for such development in the Zoning Ordinance.
- C. In the case of proposed commercial developments, that such developments are needed at the proposed locations to provide adequate commercial facilities of the type proposed, that traffic congestion will not likely be created by the proposed center, or will be obviated by proposed improvements and by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking, that the development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding area.

- D. In the case of proposed industrial developments, that such development is fully in conformity with the applicable performance standards, and will constitute an efficient and well organized development, with adequate provisions for railroad or truck access, service and necessary storage, that such development will have no adverse effects upon adjacent or surrounding areas, and adequate provisions will be made for off-street parking and loading.
- E. That the development of a harmonious, integrated plan justifies exceptions, if such are required, to the normal requirements of the Zoning Ordinance.

12.17.12 Revised Development Plan Review

A revised development plan shall incorporate major revisions required by the Planning Commission and must be submitted to the City Planning Department within 90 days of the date of the Planning Commission decision pursuant to Section 12.17.11. Upon failure to obtain a planned unit development permit, the applicant shall not be permitted to submit a second revised development plan and if he desires to continue with the planned unit development, he must reapply for the granting of a planned unit development permit.

12.17.13 Revocation and Expiration of Development Permit

A planned unit development permit may be revoked in any case where the conditions of such permit have not been or are not being complied with. The Planning Commission shall give to the permittee notice of intention to revoke such permit at least 10 day prior to the review of the permit by the Planning Commission. After conclusion of such review, the Planning Commission may revoke such permit.

In any case where a permit has not been used within 6 months after the date of granting thereof, then without further action, the permit granted shall be null and void.

12.17.14 Extensions of Time

Extensions of time limitations in Section 12.17.13 may be granted by the Planning Commission upon the showing of good faith effort by the permittee to comply therewith and failure to comply by reason of conditions beyond the control of the permittee.

12.17.15 Appeals

Appeals to the actions of the Planning Commission may be taken in accordance with Section 12.28.

12.17.16 General Development Standards

- A. A planned unit development shall consist of an integrated development located on a single tract of land, or on 2 or more tracts of land not less than 5 acres in area which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive development plan encompassing such elements as the location of structures, the circulation pattern, parking facilities, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.
- B. A planned unit development shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.
- C. A planned unit development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

12.17.17 Permitted Uses

Uses not specified as permitted, or conditionally permitted by the use regulations of the zoning district in which the planned unit development is located may be permitted as part of a planned unit development provided:

- A. The uses permitted hereby are necessary or desirable and are appropriate with respect to the basic type of development.
- B. The uses permitted hereby are not of such a nature, or so located as to exercise a detrimental influence on the surrounding neighborhood.
- C. Uses permitted hereby shall not be so extensive or in such a location as to become the dominant purpose of the planned unit development.

12.17.18 Setbacks and Spacing Between Buildings

- A. Spacing and distances between principal buildings shall be at least equivalent to that required by the zoning district in which the planned unit development is located unless the applicant demonstrates that:

1. A better or more appropriate design can be achieved by not applying the provision of the zoning district; and
 2. Adherence to the requirements of the zoning district is not required in order to insure health, safety and welfare of the inhabitants of the development.
- B. Setbacks between any principal building and any peripheral boundary of the development shall be equal to the minimum setback required by the zoning district in which the planned unit development is located, unless the applicant demonstrates that a better or more appropriate design can be achieved by the allowance of a reduced setback and adherence to the setback requirements of said zoning district is not required in order to insure the health, safety and welfare of inhabitants of the development or the adjacent property.
- C. Setbacks greater than those specified by the zoning district in which the planned unit development is located may be required where the intensity of development is greater than that of the adjacent property to such an extent that greater peripheral setbacks are needed in order to insure the health, safety and welfare of the inhabitants of the development or the adjacent property.

12.17.19 Density

The density standard of the district or districts in which a planned unit development is located shall apply to residential use types located within this district or districts, except that the Planning Commission may authorize density bonuses as provided in the following table. However, under no circumstances shall the total of the density bonuses granted to a planned unit development exceed by 50% the residential density which would otherwise be permitted.

<u>Item</u>		<u>Density Bonus</u>
A.	Provision of open space and/or creation of facilities for use by non-residents as well as residents of the planned unit development.	A. Two dwelling units per every acre of natural open space, or 10,000 sq. ft. of approved recreational facilities.
B.	Provision of low or moderate income housing, as defined by the Housing Element of the General Plan.	B. Two dwelling units per every unit so provided.
C.	Provision of interior pedestrian trails or bicycle paths which connect with	C. One dwelling unit per every 1,000 feet of paved pathway.

designated City trails and paths.

- | | |
|--|--|
| D. Application of energy resource conservation technologies. | D. One dwelling unit per every 6 units having solar water heating systems or per every 3 units having solar space heating systems or per every 3 units dependent upon passive solar heating systems. |
| E. Provision of senior citizen housing which meets the location policy described in the Land Use Element and General Plan. | E. One dwelling unit per every 2 units so provided. |
| F. Utilization of experimental land development methods or techniques, in conjunction with the above. | F. One dwelling unit per every 2 dwelling units allowed above. |

12.17.20 Required Open Space and Recreation Facilities

Open space and recreation facilities shall be provided which in terms of area and suitability will meet the needs of the inhabitants. In determining the requirement of open space and recreation facilities, the following shall be considered:

- A. The master park and recreation plan of the City of Dixon.
- B. The composition of the anticipated population of the development.
- C. Such other factors and considerations which bear a reasonable relationship to the question of need for open space and recreation facilities therein.

12.17.21 Circulation and Access

Major and local streets, the location of all buildings, parking areas, pedestrian ways, and utility easements, shall be designed to promote the public safety, compatibility of uses and minimizing of friction between uses. Private streets may serve circulation and parking purposes if providing adequately for fire and police protection, rubbish collection and lighting. Circulation and parking areas shall be separated from recreational areas to facilitate safe vehicular movement. In the design of the circulation and parking plan, priority shall be given to pedestrian access and activity. Driveways and circulation roadways shall be designed to minimize traffic and congestion within the planned unit development and to minimize the amount of paving. Adequate access for fire and other emergency vehicles shall be provided on site.

12.17.22 **Applicability of General Regulations**

A planned unit development shall conform to any applicable provisions of Section 12.18 of these regulations.

12.18

ACCESSORY AND TEMPORARY USE REGULATIONS

Sections:

- 12.18.01 Title and Purpose
- 12.18.02 Accessory Uses Encompassed by Principal Uses
- 12.18.03 Accessory Uses Subject to Controls
- 12.18.04 Specific Accessory Uses and Standards
- 12.18.05 Identification of Permitted Temporary Uses
- 12.18.06 Location of Temporary Uses
- 12.18.07 Administrative Permit Required
- 12.18.08 Construction Office
- 12.18.09 Existing Building
- 12.18.10 Animal Husbandry and Agricultural Education Project
- 12.18.11 Christmas Tree Sales
- 12.18.12 Mobile Home as Accessory Use
- 12.18.13 Mobile Unit or Structure Used for Commercial Purposes
- 12.18.14 Agricultural Products Stand
- 12.18.15 Religious and Entertainment Assembly

12.18.01 Title and Purpose

The purpose of these regulations is to establish the relationship among principal, accessory, and temporary uses, and criteria for regulating accessory and temporary uses.

12.18.02 Accessory Uses Encompassed by Principal Uses

In addition to the principal uses expressly included in the various zoning districts, each district shall be deemed to include such accessory uses which are specifically identified by these accessory use regulations; and such other necessary uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to such principal uses. When provided by these regulations, it shall be the responsibility of the Planning Director to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, based on the Director's evaluation of the resemblance of the proposed accessory use to those uses specifically identified as accessory to the principal uses and the relationship between the proposed accessory use and the principal use. Such determinations which are made by the Director shall be subject to the appeals procedure described in Section 12.28. Whenever in the opinion of the City Attorney such determination would fall beyond the purview of the Planning Department, the determination shall be made by the Planning Commission.

12.18.03 Accessory Uses Subject to Controls

Accessory uses shall be controlled in the same manner as the principal uses within

each zoning district, except as otherwise provided by these regulations.

12.18.04 Specific Accessory Uses and Standards

The following accessory uses shall be permitted in all zoning districts, except as otherwise stated:

- A. Off-street parking for use by persons living, conducting business, or visiting the premises provided screening requirements described in Section 12.28 are met;
- B. Structures housing equipment and materials used exclusively on the premises;
- C. Structures for the conduct of recreational activities for use by persons living on the premises;
- D. The renting of rooms and/or providing or table/board, for compensation, to not more than 2 persons; and
- E. Child day care facilities, with the applicable criteria set forth below:
 - 1. Small family day care home, meaning a home which provides family day care to six or fewer children, including children who reside at the home.
 - a. The hours of operation shall be between 6 a.m. and 8 p.m.
 - b. The premises shall be subject to fire and health inspection by the City of Dixon and contingent upon compliance with fire and health regulations and requirements.
 - 2. Large family day care home, meaning a home which provides family day care to seven to twelve children, including children who reside at the home.
 - a. All large family day care homes shall require a day care permit approved by the Community Development Director. The application for a permit shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this Section.
 - b. Staff shall give notice of the proposed use to all property owners within 100 feet of the site. Property owners have 15 days to respond to said notice. No hearing shall be held

unless a hearing is requested by the applicant or the affected person.

- c. The decision of the Community Development Director shall be final unless an appeal is filed within 15 days of the decision. Such appeal shall be heard in the manner prescribed in Section 12.28. (Ord. No. 9008)
- F. The total number of communications towers for the purpose of supporting amateur radio, antennas which may be erected on the premises for the express use of the occupant of the premises may not exceed 3.

12.18.05 Identification of Permitted Temporary Uses

The following temporary use shall be permitted as specified by these regulations:

- A. Construction office. A temporary construction office used during the construction of a building or road, including grading related thereto.
- B. Existing building. The continuing but temporary use of an existing, lawfully established building during construction of a new building on the same building site.
- C. Animal husbandry and agricultural education project. A temporary animal husbandry or agricultural education activity or project conducted primarily for education purposes.
- D. Christmas tree sales. A temporary facility used for the sale of Christmas trees and other permitted items.
- E. Mobile home as accessory use. The temporary use of a mobile home as a caretaker's or manager's residence.
- F. Mobile home unit or structure used for commercial purposes. Mobile unit or structure means any structure not permanently affixed to the ground with a foundation, as determined by the Building Official. This includes, but is not limited, to any trailer, house car, or mobile home, whether or not the wheels are attached.
- G. Religious and entertainment assembly. The temporary gathering of people for religious purposes or for entertainment such as a circus, carnival, rodeo, or livestock show.

Figure 18-1 Location of Temporary Uses

ZONING DISTRICT	TEMPORARY USE								
	Construction Office	Existing Building	Animal Husbandry Project	Christmas Tree Sales		Mobilehome as Accessory Use	Mobile Unit for Commercial	Agricultural Products Stand	Religious and Entertainment
<i>Agricultural</i>			●	●		●		●	●
<i>Residential</i>									
R - 1	●	●	●	●		●		●	
R - 2	●	●	●	●					
R - M	●	●							
<i>Commercial</i>									
CN	●	●		●			●		●
CC	●	●		●			●		●
CS	●	●		●			●	●	●
CH	●	●	●	●			●	●	●
PMU	●	●					●		
<i>Industrial</i>									
M-L	●	●		●		●	●		
M-H	●	●		●		●	●		
<i>Medical</i>									
PAO	●	●							

● Permitted Use Upon Approval of Administrative Permit

12.18.06 **Location of Temporary Uses**

The temporary uses identified in Section 12.18.05 shall be permitted within the various zoning districts established by this Ordinance only as provided by the Matrix of Temporary Land Uses is a part of the Zoning Ordinance and all references to this section include it.

12.18.07 **Administrative Permit Required**

All temporary uses shall require an administrative permit, as provided by an administrative permit procedure, and shall meet the applicable criteria set forth below.

12.18.08 **Construction Office**

- A. Sewage disposal system. If a sewage disposal system is installed in a temporary construction office, it shall comply with the requirements of the health officer of Solano County.
- B. Removal or conversion. A temporary construction office shall be removed or shall be converted to a permitted use prior to the issuance of a certificate of use and occupancy for the main building or buildings. If construction is phased over a length of time, the administrative permit may provide that certificates of user and occupancy may be issued for completed buildings, except the last buildings to be completed, prior to removal or conversion of the temporary use.

12.18.09 **Existing Building**

- A. Conformity with regulations. Prior to occupancy of a new building, the existing building will be brought into conformity with any additional regulation rendered applicable by the placement of any new building on the site. Conformity will be accomplished by removal, reconstruction, relocation, conversion, change of use or any combination thereof.
- B. Guarantee of completion. The Planning Director shall require the landowner to provide a guarantee, which may include a bond, to insure full compliance with the zoning regulations upon completion of the new building or sooner, if in the Director's opinion, work pertaining to the completion of all facilities required by law is not being diligently pursued.

12.18.10 **Animal Husbandry and Agricultural Education Projects**

- A. Time Limitation. The maximum time period for any administrative permit for

this temporary use shall be 1 year.

- B. Health and safety requirements. The administrative permit application shall include a statement from the health officer of Solano County that the proposed use meets appropriate health and safety regulations.

12.18.11 Christmas Tree Sales

- A. Date of Opening. A Christmas tree sales facility shall neither be open for business nor show any evidence of this temporary use, during any calendar year, more than 40 days prior to Christmas Day.
- B. Merchandise to be sold. A permitted Christmas tree sales facility may sell ornaments and other Christmas decorations in addition to Christmas trees but shall not engage in the sale of any merchandise not directly associated with Christmas trees and Christmas decorations.
- C. Electrical permit. The applicant shall secure an electrical permit from the Building Inspector if the facility is to be energized.
- D. Removal of facility. The facility shall be removed and the premises upon which it was located shall be cleared of all debris and restored to the condition they were in prior to the establishment of the facility, within 14 days after the particular Christmas holiday associated with the tree sales. The Planning Director shall require the applicant to provide a guarantee, which may include a cash bond, to insure full compliance with these removal procedures.
- E. Fire prevention standards. Each Christmas tree sales facility shall comply with fire prevention standards as approved and enforced by the City of Dixon Fire Department.
- F. Location. Christmas tree sales facilities are permitted in the zoning districts stated in Section 12.18.06; provided, however, that within residential zoning districts such facilities are permitted only on lots not containing residential use types.

12.18.12 Mobile Home as Accessory Use

- A. Use of mobile. The mobile home shall be permitted, only as a caretaker's or manager's residence and shall be accessory to the principal use on the same building site.
- B. Water distribution system. A water distribution system shall be installed to serve each mobile home in compliance with applicable laws and regulations

administered by the County Health Officer and Fire Department of the City of Dixon.

- C. Sewage disposal system. The sewage disposal system shall be installed to serve each mobile home in compliance with applicable laws and regulations administered by the County Health Officer.
- D. Time limitation. Any mobile home permitted by the provisions of this section shall be permitted for a maximum time of 6 months after the issuance of an administrative permit unless a period of time is specified by the permit.

12.18.13 Mobile Unit or Structure Used for Commercial Purposes

- A. Water distribution system. A water distribution system shall be installed to serve each mobile home in compliance with applicable laws and regulations administered by the County Health Officer and the Fire Department of the City of Dixon.
- B. Sewage disposal system. A sewage disposal system shall be installed to serve each mobile home in compliance with applicable laws and regulations administered by the County Health Officer.
- C. Time limitation. Any mobile home permitted by the provisions of this section shall be permitted for a maximum time of 6 months after the issuance of a certificate of use and occupancy for such use unless a shorter period of time is specified by the permit.

12.18.14 Agricultural Products Stands

- A. Character. The stand shall not exceed 100 square feet in floor area, shall be exclusively of wood frame type construction, and shall not be located within 20 feet of any public highway right-of-way.
- B. Removal. The stand shall be removed from the premises on which it is located within 5 days after the expiration of the permit.
- C. The limitation. The stand shall not be authorized for a period of time exceeding 90 days.

12.18.15 Religious and Entertainment Assembly

- A. Time limitation. The temporary use may be permitted for a period not to exceed 90 days.

- B. Cash bond. The Planning Director may require a cash bond or other guarantee of the removal of the permitted temporary use upon the expiration of the administrative permit.
- C. Special conditions for the use of tents. All administrative permits including the use of tents shall be issued subject to conformance with the following conditions. Violation of any of these conditions shall be grounds for the revocation of a permit, as provided in paragraph 3, of subsection (D) of this section:
1. No goods, wares or merchandise shall be stored or held for sale in any tent, except in one occupied for the purpose of conducting or holding a circus, carnival, wild west show, rodeo or other similar show or exhibition. Nor shall the provisions of this section apply to cases where the sale or storage of such goods, wares or merchandise is merely incidental to the chief purpose for which such tent is erected or used;
 2. The owner or agent shall furnish an affidavit that all tents to be used which are covered by said permit have been treated by flame-proofing solution of a type approved and listed by the California State Fire Marshal so as to render them resistant to the action of fire.
 3. The Fire Chief of the City of Dixon or his duly authorized deputy may take samples of the proposed tent fabric for the purpose of making flame tests.
 4. Exit requirements as required by the Fire Chief or his duly authorized deputy shall be provided and maintained in accordance with laws enforced by the City of Dixon.
 5. Fire hose lines and the auxiliary fire equipment shall be maintained in such numbers and size as may be required by the Fire Chief or his duly authorized deputy.
 6. All electric wiring must conform to the ordinances of the City of Dixon and must be approved by the office of building inspection.
 7. No lighting shall be used except electric lighting.
 8. All heating or cooking appliances must be approved by the Fire Chief or his duly authorized deputy.
 9. All activities of religious or entertainment assembly shall be limited to the hours between 7:00 am and 10:00 pm.

10. All religious or entertainment assembly shall be provided with toilets and other sanitation facilities in accordance with the requirements of the Solano County Health Dept.
 11. Such assembly shall also comply with the noise performance standards contained in Sections 12.24.03, 12.24.04 and 12.24.05.
- D. Application for a permit. Applications for this issuance of an administrative permit involving the use of a tent shall be submitted as provided below:
1. In addition to any other information that the Planning Director may require, such application shall state the approximate dimensions of the proposed tent, the location at which it is proposed to be erected, its distance from the nearest structure and the purpose for which it is to be used. Such application shall be signed both by the applicant and the owner of the property upon which it is proposed to erect such tent, or their duly authorized representatives. All applicable City of Dixon ordinances shall be complied with.
 2. The Planning Director and the Fire Chief or his duly authorized deputy shall make such investigation as may be required to determine whether the proposed tent will create any unreasonable hazard to life or property and whether the erection or maintenance thereof will injuriously affect adjacent or nearby property or the residents of the neighborhoods. The Planning Director and the Fire Chief or his duly authorized deputy shall, each by appropriate endorsement upon such application and in accordance with their determination, approve or disapprove such application.
 3. The Planning Director may revoke any permit involving the erection and maintenance of a tent within the City at any time prior to its expiration for the violation of any condition upon which the permit is issued or when in his opinion, the health, welfare, safety and morals of the residents of the City or any portion thereof are adversely affected by the continued presence of such tent. Upon whom the permit was granted shall, within the time specified by the Director, remove such tent.

E. Appeal

Any action of the Planning Director may be appealed as provided in Section 12.28.

12.19

DESIGN REVIEW COMMISSION

Sections:

- 12.19.01 General Provisions - Findings by Council
- 12.19.02 Public and Private Injury Due to the Existence of Certain Conditions
- 12.19.03 Declaration of Purpose
- 12.19.04 Creation of Design Review Commission
- 12.19.05 Term of Office
- 12.19.06 Removal or Vacancy
- 12.19.07 Time of Regular Meetings
- 12.19.08 Appointment of Officers
- 12.19.09 Staff
- 12.19.10 Adoption of Rules
- 12.19.11 Commission Records
- 12.19.12 Quorum
- 12.19.13 Duties of Officers
- 12.19.14 Duty of Design Commission to Review Plans Prior to Application for Building Permit
- 12.19.15 Design Review for Single Family Dwellings
- 12.19.16 Application for Design Review
- 12.19.17 Review Procedures
- 12.19.18 Application for Building Permit
- 12.19.19 Functions of Design Review Commission
- 12.19.20 Principles to be Followed
- 12.19.21 Single Family Residential Design Standards
- 12.19.22 Commission May Impose Conditions
- 12.19.23 Procedure Upon Disapproval of Application
- 12.19.24 Lapse of Approval
- 12.19.25 Appeal from Decision of Design Review Commission

12.19.01 Finding of Existence of Certain Conditions

The Council finds that there exists in land use districts in which residential, commercial, office, retail business, and industrial activities are carried on, an excessive similarity or dissimilarity, or both, in the design, development and maintenance of structures, landscaping, signs and that their general appearance is inappropriate or of poor quality of design.

12.19.02 Public and Private Injury Due to the Existence of Certain Conditions

The Council finds that the following conditions exist in land use districts characterized by the qualities described in Section 12.19.01.

- A. The desirability of other properties within the vicinity for the uses for which

they are zoned is adversely affected;

- B. The benefits of occupancy of other property in the vicinity are impaired;
- C. Property values within the vicinity do not retain their stability;
- D. The most appropriate development of other properties within the vicinity is impaired;
- E. The maintenance or improvement, or both, of surrounding properties is discouraged with the result that these properties degenerate and there is an accompanying deterioration of conditions which affect the health, safety, comfort and general welfare of the inhabitants of the area and the inhabitants of the City at large;
- F. The property relationship between the taxable value of real property in the vicinity and the cost of municipal services to these properties are destroyed; and
- G. The unsightliness which exists causes a decrease in the value of surrounding properties.

12.19.03 Declaration of Purpose

The purpose of this ordinance is to recognize the interdependence of land values and aesthetics and to provide a method by which the following goals can be achieved:

- A. Promotion of sound land use development;
- B. Assist in the development of architectural standards and guidelines for residential, office, commercial, retail business, and industrial structures.

12.19.04 Creation of Design Review Commission

- A. Unless otherwise designated by Resolution of the City Council, the Planning Commission of the City of Dixon, shall act as, and constitute the Design Review Commission.
- B. The City Council may, by Resolution, create a separate Design Review Commission, in which event, the Commission shall consist of 5 members, 4 of whom shall be appointed by the Mayor with the approval of the City Council; and one member shall be a member of the Planning Commission, appointed by said Commission. (Ord No. 8206)

12.19.05 Term of Office

- A. When the Planning Commission acts as the Design Review Commission, the term of office of each member shall be as set forth in Section 2.8 of Chapter 2, Article I of the Dixon City Code.
- B. When the City Council, establishes a separate commission, the term of office for each member shall be 2 years for the first 5 appointees; 2 members shall be appointed for 1 year and 3 members for 2 years each. Each member serves until his successor is appointed and qualifies. No person shall serve more than 6 consecutive years as a member of the Design Review Commission. (Ord. No. 8206)

12.19.06 **Removal or Vacancy**

A member of the commission may be removed by a majority vote of the Council or by the Mayor, with the approval of Council. A vacancy is filled in the same manner as the original appointment. A person appointed to fill a vacancy serves for the remainder of the expired term.

12.19.07 **Time of Regular Meetings**

The commission shall meet at the times and places scheduled by the Chairman with approval of other members.

12.19.08 **Appointment of Officers**

The commission shall appoint a chairman and vice-chairman from among its members. The chairman and vice-chairman serve for a term of 1 year or until the successor of each is appointed and takes office.

12.19.09 **Staff**

The City's Planning Director or Building Inspector shall serve as secretary and staff to the commission.

12.19.10 **Adoption of Rules**

The commission shall establish rules for the transaction of its business.

12.19.11 **Commission Records**

The commission shall keep a public record of its resolutions, transactions, findings and determinations.

12.19.12 **Quorum**

Three members of the commission constitutes a quorum for the transaction of business.

12.19.13 **Duties of Officers**

- A. **CHAIRMAN.** The chairman shall preside at all meetings of the commission. He shall appoint each committee and shall perform the duties necessary or incidental to his office
- B. **VICE CHAIRMAN.** The vice chairman is chairman in the absence of the chairman or in case of inability of the chairman to act.
- C. **SECRETARY.** The secretary shall keep a record of each meeting and shall record the official action taken. The secretary shall certify each official document and resolution of the commission. The secretary shall maintain records of operation and shall perform such other duties as the commission assigns.

12.19.14 **Duty of Design Review Commission to Review Plans Prior to Application for Building Permit**

- A. The Design Review Commission shall review the following projects prior to issuance of a building permit:
 - 1. New commercial, office or industrial construction, including exterior painting for approval of selected colors;
 - 2. Commercial, office or industrial remodeling that would alter external appearance, including exterior painting for approval of selected colors;
 - 3. New multi-family residential construction containing 2 or more units;
 - 4. Multi-family residential remodeling that would alter external appearance;
 - 5. Signs in industrial, commercial, office and multi-family districts.
 - 6. Under certain circumstances, single family dwellings. See Section 12.19.15.

12.19.15 **Design Review for Single Family Dwellings**

- A. The design review application for single family dwellings shall be submitted along with application for a building permit.
- B. The Building Inspector is authorized to:
 - 1. Approve or approve with conditions the building plans if the designs conform to the single family residential design guidelines, contained in Section 12.19.21, or:
 - 2. He may refer the building plans to the Design Review Commission for formal review under procedures established in Section 12.19.16 and design guidelines established in Section 12.19.21, if:
 - a. The single family dwelling is of an unusual design that is not homogenous to the neighborhood.
 - b. The single family dwelling is relocated from another site.
 - c. The single family dwelling is constructed off site and moved to its permanent location.
- C. No filing fee is necessary for the design review by the Building Inspector, unless the project is referred to the Design Review Commission, then the residential design review fee as set forth in Section 12.19.16 is applicable.

12.19.16 **Application for Design Review**

- A. Before an applicant files his application for a building permit to construct any project specified in Section 12.19.14, he shall first prepare and submit application(s) for design review together with all documents specified on the application form and a fee in such amount as set by resolution of the City Council, sufficient to cover the cost of handling the application(s).
- B. Upon submittal of the application for Design Review, the Design Review Commission shall either approve, approve with conditions or disapprove the application within 30 days after it is filed with the City. The applicant may appeal the decision of the Design Review Commission in the manner set forth in Section 12.28.

12.19.17 **Review Procedures**

- A. The review procedure for all applications may consist of a preliminary plan and a final plan or just the latter. The Design Review Commission

encourages a preliminary and final plan in instances of large or complicated development projects.

- B. Preliminary review by the Design Review Commission has the following purposes:
 - 1. Indicate to the applicant major areas of deficiency and good design;
 - 2. Instruct the applicant as to sections of the project which are unacceptable or need minor revisions; and,
 - 3. Inform the Design Review Commission on the scope of the project for the final review stage.
- C. When any project is brought before the Planning Commission which requires Design Review Commission approval the Planning Commission shall, before it takes action on such project, refer it to the Design Review Commission for review and comment.

12.19.18 Application for Building Permit

Upon approval or conditional approval of the Design Review application, an application for a building permit may be filed.

12.19.19 Functions of Design Review Commission

The functions of the Design Review Commission shall be to review the following, with respect to all applicable structures:

- A. Sitting of all structures as designed upon a site plan;
- B. Landscaping, fencing, other screening as designed on a landscape or sprinkler plan featuring all existing trees and shrubs and proposed plantings;
- C. Design of all circulation and parking and loading facilities for automobiles and bicycles;
- D. Location, design and screening of garbage facilities;
- E. Details of fencing, public work items such as curb cuts, curbs, gutters, sidewalks, sidewalk design, drainage, fire hydrants;
- F. Location, design and intensity of all exterior lighting;
- G. Location and design of addressing system or graphics and mail delivery

system;

- H. Location and design of all required open space areas;
- I. Exterior elevations or perspective drawings of structures featuring building height, description of all building materials, building colors, screening of utility meters and mechanical equipment;
- J. Design, placement, dimension, colors of all proposed signs and exterior graphics as limited by the sign section of the Zoning Ordinance. This shall include building materials, lighting systems and intensity of signs and temporary signs and shall apply to all temporary as well as permanent signing;
- K. Review of single-family attached buildings shall also include future major additions to patio area, etc;
- L. Review of design and placement of facilities for physically handicapped; and,
- M. Review of prefabricated, or otherwise constructed, accessory buildings in terms of colors, location and design.

12.19.20 Principles to be Followed

In carrying out the purposes of this Section with respect to the external design of buildings and site plans of all proposed new buildings, structures or uses for which design review is required, the following principles shall be applicable:

- A. Review of architectural initiative is stifled in the design of any particular building or site or that substantial additional expense is required. Rather, it is the intent of this Section that the review exercised shall be the amount necessary to achieve the overall objectives of this Section;
- B. Good architectural character is based upon the suitability of a building or site for its purpose; upon the appropriate use of sound materials, good relationship with other structures and the character of the City; and upon the principles of harmony, preparation and design in the elements of the building or site;
- C. Good architectural character and site planning design are not, in themselves, more expensive than poor architectural character and poor site planning design, and are not dependent upon the particular styles of architectural or site plan design selected;
- D. Review of sign graphics shall be based upon suitability of the sign colors,

placement, design to overall building design and adjacent sign themes. The Design Review Commission shall consider the extent, design and location of all temporary signs in the review of sign graphics.

12.19.21 Single Family Residential Design Standards

- A. A single family detached dwelling shall have a minimum gross floor area of 960 sq. ft. excluding therefrom any garage or accessory building area. Under special circumstances, a smaller dwelling may be approved by the Building Inspector. A mobile home shall be certified under the National Manufactured Housing Construction and Safety Act of 1974 and constructed after June 15, 1976. The mobile home shall be double wide or larger, multi-sectional unit.
- B. The architectural style, scale, height, material, setbacks and roof line of a single family dwelling shall be compatible with existing buildings in the area or with the goals and objectives of the General Plan.
- C. Single Family dwellings shall have a variety of materials, colors and textures without producing excessive variety which would disrupt the unity of design.
- D. A single family dwelling shall have a roof pitch of not less than 3 inches of vertical rise for each 12 inches of horizontal run, unless the architectural style of the building makes it incompatible with the overall design.
- E. A single family dwelling shall have a roof overhang of not less than 12 inches measured from the vertical side of the structure, unless the architectural style of the building makes it incompatible with the overall design.
- F. Roofing material for the single family dwelling shall be of composition shingles, wood shingles or shakes, masonry tiles, or other materials commonly found on residential structures in the surrounding area. Shiny metallic roofing materials are unacceptable.
- G. Exterior siding material shall be similar to that which is found commonly on residential structures in the surrounding area and should consist of the following: wood, stucco, glass, brick, stone or other masonry products. Synthetic products of a similar appearance and texture and equivalent durability may be permitted. Shiny metallic surfaces are unacceptable. All siding is to extend to within 12 inches of the ground or overlap a foundation.
- H. The garage (either attached or detached) or a carport shall have exterior covering and roofing material the same as the single family dwelling.
- I. The finished floor of the dwelling shall be a maximum of 24 inches above the

exterior finish grade of the lot. Exception may be allowed for a dwelling with a full basement or the topography of the lot requires a higher finished floor.

- J. A single family dwelling should be designed and oriented on the lot to enhance its energy conservation features, including both passive and active solar systems.

12.19.22 Commission May Impose Conditions

The Design Review Commission may impose conditions upon the issuance of a building permit if the commission finds that the proposed structure does not meet the standards set forth in Sections 12.19.20 or 12.19.21 of this ordinance.

12.19.23 Procedure Upon Disapproval of Application

If the Design Review Commission disapproves an application for Design Review, it shall state its findings and conclusions in detail. The secretary shall furnish the applicant with the findings of the Commission within 10 days of the disapproval of the application.

12.19.24 Lapse of Approval

The applicant must obtain a building permit within 1 year after Design Review Commission approval or apply to the Design Review Commission for an extension of time to do so. If a building permit is not obtained within said one year period or any extension thereof granted by the Commission, any approval granted by the Design Review Commission shall automatically lapse and a new application will be required as set forth in Section 12.19.16.

12.19.25 Appeal From Decision of Design Review Commission

The applicant or any interested party, including a member of the Design Review Commission, the Planning Commission or the City Council, who is dissatisfied with the findings of the Commission may appeal the action, in accord with the procedures prescribed in Section 12.28, as follows:

- A. If the Planning Commission acts as the Design Review Commission, may appeal to the City Council by filing a notice of appeal with the City Clerk within 10 days after the Commission action.
- B. If the Planning Commission is not acting as the Design Review Commission, may appeal to the Planning Commission, by filing a notice with the City Clerk within 10 days after the Commission action.
(Ord. No. 8206)

12.20

SIGNS

Sections:

12.20.01	Purposes
12.20.02	Permits
12.20.03	General Provisions
12.20.04	Signs in Agricultural Districts
12.20.05	Signs in Residential Districts
12.20.06	Signs in Commercial Districts
12.20.07	Signs in Industrial Districts
12.20.08	Temporary Subdivision Signs

12.20.01 Purposes

In order to maintain the attractiveness and orderliness of the City's appearance and to protect the public safety, the location, size, illumination and design of signs are regulated.

12.20.02 Permits

A sign permit, issued by the Building Official, shall be required for all permanent signs in all land use districts.

- A. A permanent sign is defined as any sign that may remain, or is intended to remain, for more than 120 calendar days.
- B. The application fees and procedures for issuance of a sign permit shall be those found in the Uniform Building Code as adopted by the City of Dixon.

12.20.03 General Provisions

No sign, or display of any character shall be permitted except in conformity with the following regulations:

- A. All signs and displays shall be located on the same site as the use they identify or advertise, except subdivision directional signs as prescribed in Section 12.20.08.
- B. Outdoor advertising structures are not permitted in any district.
- C. All permanent administrative, commercial and industrial signs shall be subject to design review and approval by the Design Review Commission. The Design Review Commission shall evaluate the design, dimension, colors, graphics, material and lighting system of the proposed sign. Review

of the sign design shall be based on the suitability and compatibility of the sign size, color, placement, graphics and material to overall building design and sign designs in the neighborhood. Signs not meeting the design principles as provided in Section 12.19.01, 12.19.03 and 12.19.20 shall be denied or modified to comply with the stated concerns. (Ord. No. 8402)

- D. No roof sign shall be erected or displayed, and no sign shall extend above the ridge line or coping of a building, whichever is higher, except as provided in Sections 12.20.06 and 12.20.07.
- E. A sign may project to within 2 feet of the curb line of a street or alley.
- F. No sign other than a directional sign shall project more than 12 inches into a required interior side yard or required rear yard.
- G. There shall be not less than 10 feet of clearance between the bottom of an overhanging sign and ground level.
- H. In no case shall the height of a sign exceed the height limit prescribed for a structure in the district in which the sign is located.
- I. An illuminated sign within 300 feet of an R or A District, measured along the radius of a 180 degree arc in front of a face of the sign, shall not be directly lighted but may be indirectly lighted or may have semi-indirect or diffused lighting provided that the surface brightness shall not be greater than 100 foot lamberts.
- J. No sign projecting more than 12 inches and exceeding 20 square feet in area shall be located within 100 feet of an R District.
- K. No flashing or moving sign shall be permitted, except warning signs when required for public safety.
- L. Signs used exclusively for the posting or display of official notices by a public agency or official or by a person giving legal notice and signs erected or maintained by a public agency or official for directional, warning or informational purposes are not subject to the regulations of this article.
- M. Non illuminated name plates and addresses not exceeding 6" x 12" in size are not subject to the regulations of Section 12.20.

12.20.04 Signs in Agricultural Districts

No sign, or display of any character shall be permitted in an A District except the following:

- A. Name plates or signs, not directly lighted, with an aggregate of not more than 20 square feet pertaining to a permitted use.
- B. Signs prohibiting trespass, each not exceeding 2 square feet in area.
- C. One nonilluminated sign not exceeding 6 square feet in area pertaining to the sale, lease, rental or display of a structure or land.
- D. Identification signs or other signs pertaining to a conditional use conducted on the site, not directly lighted, with an aggregate area of not more than one-half square foot for each 1 foot of frontage of the site but not more than 100 square feet, subject to the exception that if a site has less than 40 feet of frontage, the sign or signs may have an aggregate area of not more than 20 square feet.
- E. Temporary subdivision signs, subject to the regulations prescribed in Section 12.20.08.
- F. Two directional or informational signs, not directly lighted, each not exceeding 100 square feet in area located adjacent to a state highway or a county road within one-half mile of an access road turnoff listing commercial establishments accessible via the access road.

12.20.05 Signs in Residential Districts

No sign, outdoor advertising structure or display of any character shall be permitted in an R District except the following:

- A. One name plate not exceeding 1 square foot in area, not directly lighted, pertaining to a permitted use.
- B. One identification sign, not directly lighted, not exceeding 4 square feet in area located on the site of a multi-family dwelling or a lodging house.
- C. One identification sign, not directly lighted, not exceeding 40 square feet in area on the site of a public building or grounds, a private institution, a church, a club or lodge, or a professional or administrative office building. (Ord. No. 9004)
- D. In addition to an identification sign, one bulletin board, not directly lighted, not exceeding 20 square feet in area on the site of a church.
- E. One nonilluminated sign not exceeding 4 square feet in area on the site of a parking lot.

- F. One nonilluminated sign not exceeding 6 square feet in area pertaining to the sale, lease, rental or display of a structure or land.
- G. Temporary subdivision signs, subject to the regulations prescribed in Section 12.20.08.

12.20.06 Signs in Commercial, Professional Office, and Planned Mixed Use Districts

No sign, or display of any character shall be permitted in a C District except the following: (Ordinance No. 9004)

- A. Signs pertaining to uses conducted on the site with the following aggregate area:

District	Max. area per ft. of width of front of building, front and street side elevations of building on corner lot	Max. area per ft. of of property line or adjoining street	Max. area on interior lot width frontage less than 40 feet	Absolute maximum area for an individual business
PAO	1 sq.ft.	½ sq.ft.	20 sq.ft.	50 sq.ft.
PMU	1 sq.ft.	½ sq.ft.	20 sq.ft.	20 sq.ft.
C-N	1 sq.ft.	½ sq.ft.	40 sq.ft.	100 sq.ft.
C-C	2 sq.ft.	1 sq.ft.	80 sq.ft.	200 sq.ft.
C-H	2 sq.ft.	1 sq.ft.	80 sq.ft.	300 sq.ft.
C-S	2 sq.ft.	1 sq.ft.	80 sq.ft.	300 sq.ft.

- B. Directional signs for off-street parking and loading facilities exceeding 4 square feet for each sign in a C-N, PAO or PMU District, or 6 square feet for each sign in a C-C, C-H or C-S District.
- C. One sign pertaining to the sale, lease, rental or display of a structure of land, exceeding 6 square feet in a C-N, PAO or PMU District or 20 square feet in a C-C, C-H or C-S District.
- D. Roof signs in a C-C, C-S or C-H District are permitted, provided that no sign shall extend more than 3 feet above the coping or ridge line of a building in a C-C or C-S District, more than 6 feet above the coping or ridge line of a business in a C-H District when within 500 feet of an R or A District, or more than 12 feet above the coping or ridge line of a building in a C-H District when beyond 500 feet of an R or A District. The total height of a building and a roof sign shall not exceed the height limit prescribed for a structure in the district in which it is located.

12.20.07 **Signs in Industrial Districts**

No sign display of any character shall be permitted in an M District except the following:

- A. Signs pertaining to a use conducted on the site, having an aggregate area not more than that prescribed in either of the following formulas:
 - 1. One square foot for each foot of width of the front elevation of the building, or the front and street side elevations of the building on a corner lot.
 - 2. One-half square foot for each one foot of property line adjoining a public street.

The aggregate area of all signs shall not exceed 300 square feet in an M-L District and 400 square feet in an M-H District.

- B. Directional signs for off-street parking and loading facilities not exceeding 65 square feet for each sign.
- C. One sign not exceeding 20 square feet in area pertaining to the sale, lease, rental or display of a structure or land.
- D. Exhibits of goods sold or manufactured on the premises.
- E. Roof signs, provided that no sign shall extend more than 5 feet above the coping or ridge line of a building in an M-L District; more than 10 feet above the coping or ridge line of a building in an M-H District when within 500 feet of an R or A District, or more than 20 feet above the coping or ridge line of a building in an M-H District when beyond 500 feet of an R or A District. The total height of a building and a roof sign shall not exceed the height limit prescribed for a structure in the district in which it is located.

12.20.08 **Temporary Subdivision Signs**

In an R or A District temporary subdivision signs shall be permitted, provided that they conform with the following regulations:

- A. One sign pertaining to a subdivision, not illuminated, not exceeding 24 square feet in area may be erected or displayed, for each 10 acres in the subdivision. In no case shall such signs be more than 48 square feet.
- B. If a subdivision has an area of less than 10 acres, one sign, not illuminated, not exceeding 24 square feet in area may be erected or displayed.

- C. The total number of subdivision signs, other than model home signs and directional signs as permitted in paragraphs D and E of this Section, shall not exceed 2.
- D. One sign not exceeding 6 square feet in area, not illuminated, advertising a model home may be erected or displayed on the site of each model home in a subdivision.
- E. Not more than 2 directional signs, not illuminated, each not more than 6 square feet in area may be erected or displayed, for each 10 acres in a subdivision; Directional signs may be located off the site of a subdivision.
- F. A sign permit shall be required for all temporary subdivision signs. A permit may be issued by the Planning Director at any time after recordation of the subdivision and shall be come void 1 year following the date on which the permit was issued. The sign shall then be removed, unless prior to the expiration of 1 year, renewal of the permit for a period of not more than 1 year shall be approved to the City Planning Commission.

12.21 **CONDITIONAL USES**

Section:

12.21.01	Purposes
12.21.02	Powers of City Planning Commission
12.21.03	Application and Fee
12.21.04	Public Hearing - Notice
12.21.05	Public Hearing - Procedure
12.21.06	Investigation and Report
12.21.07	Action by City Planning Commission
12.21.07.1	Criteria for Secondary Living Units
12.21.07.2	Criteria for Multi Tenant Freeway Oriented Signs
12.21.08	Review by City Council
12.21.09	Lapse of Use Permit
12.21.10	Pre-Existing Conditional Uses
12.21.11	Grounds for Revocation or Suspension
12.21.12	Procedure for Revocation, Suspension or Modification
12.21.13	Use Permit to Run with the Land
12.21.14	Notation on Zoning Map
12.21.15	New Application
12.21.16	Appeals

12.21.01 **Purposes**

In order to provide the flexibility necessary to achieve the objectives of the Zoning Ordinance, conditional uses may be allowed. Conditional uses include certain types of community facilities, institutions and public utility installations appropriately located in A, R, C, M, PMU, PAO and T Districts. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to their effects on surrounding properties. In order to achieve these purposes, the City Planning Commission is empowered to grant and to deny applications for use permits and to impose reasonable conditions upon the granting of use permits, subject to the right of appeal to the City Council.

12.21.02 **Powers of City Planning Commission**

The City Planning Commission may grant use permits for such conditional uses in such district as are prescribed in the district regulations of the Zoning Ordinance, subject to the right of appeal to the City Council, in accord with the procedure prescribed in this article.

12.21.03 **Application and Fee**

- A. Application for a use permit shall include the following data:
1. Name and address of applicant.
 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner.
 3. Address or description of the property.
 4. Statement indicating the precise manner of compliance with each of the applicable provisions of this ordinance together with any other data pertinent to the findings prerequisite to the granting of a use permit, prescribed in Section 12.21.07.
 5. An accurate scale drawing of the site showing the contours at intervals of not more than 1 foot and existing and proposed locations of streets, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas.
 6. An accurate scale drawing of the site and the surrounding area for a distance of 300 ft. from each boundary of the site showing the location of existing streets and property lines and the names and last known addresses of the recorded legal owners of all properties shown on the drawing.
- B. The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this Section.

12.21.04 **Public Hearing - Notice**

- A. The City Planning Commission shall hold at least one public hearing on each application for a use permit within 45 days of the date when the application was filed.
- B. Notice of the public hearing shall be given not less than 10 calendar days nor more than 30 days prior to the date of the hearing by posting a notice of the public hearing at the City Hall of the City and by mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on the latest adopted tax roll of Solano County as owning property within 300 feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing.

12.21.05 Pubic Hearing - Procedure

At the public hearing the City Planning Commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 12.21.07.

12.21.06 Investigation and Report

The Planning Director shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the City Planning Commission.

12.21.07 Action by City Planning Commission

- A. The City Planning Commission may grant an application for a use permit as the use permit was applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located.
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties of improvements in the vicinity.
 - 3. That the proposed location of the conditional use will comply with each of the applicable provisions of the Zoning Ordinance.
- B. A use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the Commission may prescribe.
- C. The Commission may deny an application for a use permit.

12.21.07.1 Criteria for Secondary Living Units

Any secondary living units shall comply with the following conditions:

- A. The applicant for a use permit shall be both an owner and current resident of the property for which a secondary living unit is proposed.

- B. The property must contain an existing single family detached dwelling.
- C. The secondary living unit shall be attached to the existing single family dwelling.
- D. Parking for a lot with a secondary living unit shall be provided in accordance with Section 12.23.07A (2).
- E. The minimum front, side and rear setbacks of the applicable zoning shall be observed for the secondary living unit.
- F. Any addition or modification to a single family dwelling which provides a secondary living unit shall satisfy the following design criteria:
 - 1. An addition shall be architecturally integrated into existing building design.
 - 2. An entrance to a secondary living unit shall not be located on the same building elevation as the entrance to the main unit. An exception may be made if one of the entrances is screened from public view and architecturally does not give the appearance of a second entry on the same building elevation.
- G. A use permit may be denied on the basis of inadequate public facilities, including sewer, water or roadway capacities.
- H. Dwellings containing secondary living units shall comply with all development regulations for the district wherein they are located, except as may be modified by the conditions of this section.
- I. Not more than forty (40) percent of the frontage of a parcel shall be devoted to driveway.
- J. All building and development fees for a second living unit shall be applicable and where required by the utilities, separate service and meters shall be provided.
- K. As part of the use permit application, the applicant shall submit a copy of the deed to the property including any conditions, covenants and restrictions. (Ord. No. 8306)

12.21.07.02 Criteria for Multi Tenant Freeway Oriented Signs

Any multi tenant freeway oriented signs shall comply with the following conditions:

- A. A sight line study for view and visibility distance shall be prepared and submitted with an application to justify the height of the sign requested. However, the maximum height of the sign shall not exceed 85 feet.
- B. A minimum of three tenants' sign slots shall be required for the proposed multi-tenant sign structure.
- C. Design of the sign structure shall incorporate architectural design features to enhance appearance.
- D. Projects, developments and businesses participating in the multi tenant freeway oriented sign program shall be limited to monument type signs and building mounted signs on site.
- E. Sign area on multi tenant freeway oriented signs shall not be counted against the sign area allowance for the on site signs. (Ord. No. 9004)

12.21.08 **Review by City Council**

If the action of the City Planning Commission is appealed, at the first regular City Council meeting held more than 5 days after a decision on a use permit application by the City Planning Commission, the Council shall review the decision. The City Council may affirm, reverse or modify a decision of the City Planning Commission, provided that if a decision denying a use permit is reversed or a decision granting a use permit is modified, the Council shall, on the basis of the record transmitted by the Planning Director and such additional evidence as may be submitted, make the findings prerequisite to the granting of a use permit prescribed in Section 12.21.07.

12.21.09 **Lapse of Use Permit**

- A. A use permit shall lapse and shall become void 1 year following the date on which the use permit became effective, unless prior to the expiration of 1 year a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application or structure which was the subject of the use permit application. A use permit may be renewed for an additional period of 1 year provided, prior to the expiration of 1 year from the date when the use permit originally became effective, an application for renewal of the use permit is filed with the City Planning Commission. The Commission may grant or deny an application for renewal of a use permit.
- B. The City Council may review the decision of the Commission in accord with the procedure prescribed in Section 12.21.08.

12.21.10 **Pre-Existing Conditional Uses**

- A. A conditional use established prior to enactment of this ordinance shall be permitted to continue.
- B. Alteration or expansion of a conditional use established prior to enactment of this ordinance shall be permitted upon the granting of a use permit, provided that a use permit shall not be required for accessory structures and incidental uses located on the same site as a pre-existing conditional use.
- C. A use permit shall be required for the reconstruction of a structure housing a conditional use established prior to enactment of this ordinance if the structure is destroyed by fire or other calamity or by act of God or by the public enemy to a greater extent than 50 percent.
- D. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage or partial destruction, to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the Director of Public Works.

12.21.11 **Grounds for Revocation or Suspension**

- A. The Planning Commission shall have the power to revoke or suspend a use permit in any case where the permit was obtained by fraud; or where the conditions of such use permit have not been or are not complied with; or in any case where a person, firm, partnership, association or corporation holding a use permit, directly or indirectly conducts or carries on said use in a manner as to materially or adversely affect the health, safety or welfare of persons residing or working in the vicinity or neighborhood of the property subject to such use permit; or directly or indirectly conducts or carries on said use in a manner than is materially detrimental to the public health, safety or welfare or injurious to property or improvements in the vicinity of the property subject to such use permit.
- B. The Planning Commission may suspend, revoke or modify the use permit pursuant to the procedures set forth in Section 12.21.12 when it finds that construction or installation of the permitted use has begun, but has not been diligently pursued by the owner, lessee, or other party responsible for a period of more than 6 months. The Commission may after making the finding declare the project abandoned and revoke the use permit or otherwise suspend or modify the use permit upon such conditions as are found by the Commission necessary or desirable to insure that the use will be completed in a timely manner.

- C. No findings or abandonment may be made when it is shown by the holder of the use permit that the delay was due to a strike, disaster, war, order of a court of competent jurisdiction, or other lawful authority, operation of law, or any other reason beyond the control of the holder. This exception shall not apply to hardships caused by the permit holder's poor financial planning, shortage of capital or other ordinary business risk.

12.21.12 Procedure for Revocation, Suspension or Modification

No use permit shall be revoked or suspended, except in compliance with the procedures provided in this Section.

- A. At least 10 days prior to the meeting of the Planning Commission at which the action to revoke or suspend shall be considered, the holder of the use permit shall be given written notice which shall state:
 - 1. The grounds for complaint or reasons for recommending revocation or suspension of the use permit;
 - 2. The date and time and place where such hearing is to be held.
- B. The written notice shall be personally delivered to the holder of the use permit or mailed by first class mail. If written notice is mailed to the holder of the use permit, it shall be considered delivered on the same day as the postmark.
- C. At any such hearing for revocation or suspension of a use permit, the holder of such permit shall be given an opportunity to be heard in person or by legal counsel or agent, and to defend or explain his position in the matter, and may call witnesses and present evidence on his behalf. The burden of proof shall rest upon the Planning Director to establish that there is a good and sufficient cause for revocation or suspension of the use permit.
- D. Upon conclusion of such hearing the Planning Commission may suspend or revoke such use permit upon such terms and conditions as in its judgement are just and proper in the matter. If the holder of the use permit is dissatisfied with the decision of the Planning Commission, he may appeal to the City Council in the manner and within the time prescribed by Section 12.28.
- E. In any case where such permit is revoked no new permit shall be granted to such person to conduct or carry on any such use within 1 year after the effective date of the revocation.

12.21.13 **Use Permit to Run With the Land**

A use permit granted pursuant to the provisions of this article shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application.

12.21.14 **Notation on Zoning Map**

A use permit shall be indicated on the zoning map by a number located on the site of the conditional use.

12.21.15 **New Application**

Following the denial of a use permit application, no application for a use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within 1 year from the date of denial of the use permit.

12.21.16 **Appeals**

Appeals to the decision of the Planning Commission may be filed in accordance with Section 12.28.

12.22

VARIANCES

Sections:

12.22.01	Purposes
12.22.02	Powers of City Planning Commission
12.22.03	Application and Fee
12.22.04	Hearing and Notice
12.22.05	Public Hearing - Procedure
12.22.06	Investigation and Report
12.22.07	Action of City Planning Commission
12.22.08	Appeal to City Council
12.22.09	Lapse of Variance
12.22.10	Revocation, Suspension or Modification, Grounds and Procedures
12.22.11	New Application

12.22.01 Purposes

The City Planning Commission is empowered to grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the objectives of the Zoning Ordinance as would result from a strict or literal interpretation and enforcement of certain of the regulations prescribed by the Zoning Ordinance. A practical difficulty or unnecessary physical hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. Cost to the applicant of strict or literal compliance with a regulation shall not be the sole reason for granting a variance. The power to grant variances does not extend to permitted or conditional use regulations.

12.22.02 Powers of City Planning Commission

The City Planning Commission may grant variances to the regulations prescribed by the Zoning Ordinance with respect to fences and walls, site area, width, frontage, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, signs, off-street parking facilities and off-street loading facilities, in accord with the procedure prescribed in this Section.

12.22.03 Application and Fee

- A. Application for a variance should be made to the City Planning Commission and shall include the following data:
 - 1. Name and Address of the Applicant.

2. Statement that the applicant is the owner of the property or is the authorized agent of the owner.
 3. Address or description of the property.
 4. Statement of the precise nature of the variance requested and the practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Ordinance which would result from a strict or literal interpretation and enforcement of a specified regulation of this ordinance, together with any other data pertinent to the findings prerequisite to the granting of a variance, prescribed in Section 12.22.07.
 5. An accurate scale drawing of the site and the surrounding area for a distance of 300 ft. from each boundary of the site showing the location of existing streets and property lines and the name and last known addresses of the recorded legal owner of all property shown on the drawing.
- B. The application shall be accompanied by an accurate scale drawing of the site and any adjacent property affected, showing, when pertinent, the contours at intervals of not more than 1 foot and all existing and proposed locations of streets, property lines, uses, structures, driveways, pedestrians walks, off-street parking and off-street loading facilities and landscaped areas.
- C. The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this Section.
- D. The application shall be filed with the Planning Director, who shall give notice to the applicant of the time when the application will be considered by the commission, and he may give notice of the time to any other interested party.

12.22.04 **Hearing and Notice**

- A. The City Planning Commission may hold a public hearing on an application for a variance. The Commission may delegate to the Planning Director authority to decide whether a public hearing shall be held, provided that the decision of the Planning Director may be changed by the Commission.
- B. Notice of a public hearing shall be given not less than 10 calendar days nor more than 30 days prior to the date of the hearing by posting a notice of the hearing at the City Hall of the City and by mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on

the latest adopted tax roll of Solano County as owning property within 300 feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing.

12.22.05 **Public Hearing - Procedure**

At a public hearing the City Planning Commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 12.22.07.

12.22.06 **Investigation and Report**

The Planning Director shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the City Planning Commission.

12.22.07 **Action of City Planning Commission**

- A. The City Planning Commission may grant a variance to a regulation prescribed by the Zoning Ordinance if, on the basis of the application, the report of the City Planner and the evidence submitted, the Commission makes the following findings:
1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Ordinance;
 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district;
 3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
 4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. The City Planning Commission may grant a variance to a regulation

prescribed by the Zoning Ordinance with respect to signs as the variance was applied for or in modified from, if on the basis of the application, the report of the Planning Director and the evidence submitted, the Commission makes the findings prescribed in paragraph A of this Section and the following additional findings:

1. That the granting of the variance will not detract from the attractiveness or orderliness of the City's appearance.
 2. That the granting of the variance will not introduce an inharmonious visual element into the district in which the sign would be located.
 3. That the granting of the variance will not create a hazard to public safety.
- C. The City Planning Commission may grant a variance to a regulation prescribed by the Zoning Ordinance with respect to off-street parking facilities or off-street loading facilities, as the variance was applied for or in modified from if, on the basis of the application, the report of the Planning Director and the evidence submitted, the Commission makes the findings prescribed in paragraph A of this Section and the following additional findings:
1. That neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
 2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
 3. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the Zoning Ordinance.
- D. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the Commission may prescribe.
- E. The City Planning Commission may deny a variance application.
- F. A variance shall become effective upon the expiration of 10 days following the date on which the variance was granted unless an appeal has been taken to the City Council.

12.22.08 **Appeal to City Council**

Appeals to the action of the Planning Commission may be filed in accordance with Section 12.28.

12.22.09 **Lapse of Variance**

A variance shall lapse and shall become void 1 year following the date on which the variance became effective unless prior to the expiration of 1 year a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application or a permit is issued authorizing occupancy of the site or structure which was subject of the variance application. A variance may be renewed for an additional period of 1 year provided that prior to the expiration of 1 year from the date when the variance originally became effective, an application for renewal of the variance is made to the Commission. The Commission may grant or deny an application for renewal of a variance.

12.22.10 **Revocation, Suspension or Modification, Grounds and Procedures**

- A. The Planning Commission shall have the power to revoke, suspend or modify any variance for any of the grounds set forth in Sections 12.21.11 and 12.21.12.
- B. No variance shall be revoked, suspended or modified except in compliance with the procedures prescribed in Section 12.21.12.

12.22.11 **New Application**

Following the denial or revocation of a variance application, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within 1 year of the date of denial or revocation of the variance.

12.23

OFF-STREET PARKING

Sections:

- 12.23.01 Purposes
- 12.23.02 Off-Street Parking Facilities Required
- 12.23.03 Computation of Required Spaces
- 12.23.04 Joint Use of Parking Areas
- 12.23.05 Municipal Parking Assessment District
- 12.23.06 Properties in the C-C Central Commercial District
- 12.23.07 Schedule of Off-Street Parking Space Requirements
- 12.23.08 Standards for Off-Street Parking Facilities
- 12.23.09 Location of Off-Street Parking Facilities
- 12.23.10 Off-Street Loading Facilities Required
- 12.23.11 Schedule of Off-Street Loading Berth Requirements
- 12.23.12 Standards for Off-Street Loading Facilities
- 12.23.13 Location of Off-Street Loading Facilities
- 12.23.14 Existing Uses
- 12.23.15 Reduction of Off-Street Parking and Loading Facilities
- 12.23.16 Off-Street Parking and Loading Facilities to Serve One Use
- 12.23.17 Designation of Off-Street Parking and Loading Facilities

12.23.01 Purposes

In order to alleviate or to prevent traffic congestion and shortage of curb spaces, off-street parking and loading facilities shall be provided incidental to new land uses and major alterations and enlargements of existing land uses. The number of parking spaces and the number of loading berths prescribed in this section or to be prescribed by the City Planning Commission shall be in proportion to the need for such facilities created by the particular type of land use as described in the Schedule of Off-Street Parking Requirements. Off-street parking and loading areas are to be laid out in a manner which will insure their usefulness, protect the public safety, add to the visual quality of the area and, where appropriate, insulate surrounding land uses from their impacts.

12.23.02 Off-Street Parking Facilities Required

- A. Except for properties in the C-C District the time of initial occupancy of a site or the construction of a structure or major alteration or enlargement of a site or structure, there shall be provided off-street facilities for automobiles in accord with the schedule of off-street parking space requirements prescribed in Section 12.23. For the purposes of this Section the term "major alteration or enlargement " shall mean a change of use or an addition which would increase the number of parking spaces required by more than 10 percent of the total number required. The number of parking spaces provided for a major alteration or enlargement of a site or structure shall be in addition to the number of existing prior to the alteration or enlargement, unless the pre-

existing number is greater than the number prescribed in this Section, in which instance the number in excess of the prescribed minimum shall be counted in calculating the number provided to serve the major alteration or enlargement.

- B. If, in the application of the requirements of this section, a fractional number is obtained, one parking space shall be provided for a fraction of one-half or more, and no parking space shall be required for a fraction of less than one-half.

12.23.03 Computation of Required Spaces

If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this Section for each use.

12.23.04 Joint Use of Parking Areas

- A. The Planning Commission may approve joint use of off-street parking facilities when:
 - 1. The need by different users for such off-street parking facilities will not occur at the same time;
 - 2. The uses are non residential;
 - 3. The parking being shared is on the same side of the street and in the same block as the participating users;
 - 4. If the proposed joint use parking space ownership is separate, the right conferred on the applicant shall be recorded as an encumbrance on the title of the grantor's property; and
 - 5. An attested copy of an agreement between the parties and their heirs, successor, lessees or assignees concerned, setting forth the agreement regarding such joint use, shall be filed with the Planning Department prior to the issuance of any required permit or license.
- B. The Planning Commission shall approve the removal of the encumbrance of grantor's property when shown evidence that separate parking spaces for each use as required herein have been provided and the joint use agreement is no longer necessary.

12.23.05 Municipal Parking Assessment District

Parking space requirements enumerated herein for non residential uses may be satisfied within an area heretofore designated under a plan or plans and approved by the

City Council by participation in a municipal parking assessment district formed under provisions of California Legislation.

12.23.06 Properties in the C-C Central Commercial District

- A. On site parking is not permitted in the C-C District except on common parking facility sites designated by the City Council.
- B. Any new construction or alteration in the C-C District which requires off street parking facilities as provided in the schedule of off-street parking space requirements shall be satisfied by:
 - 1. Entering into an agreement with the City of Dixon; or,
 - 2. By participation in a parking assessment district approved by the City Council.
- C. Such agreement shall provide for the following:
 - 1. By payment to the City in an amount equal to the value of the required parking on a per parking place basis. From time to time the City Council shall establish by resolution the value of off-street parking facilities on a per parking place basis. Funds collected by the City from such payment shall be deposited in a special fund and used only by the City to acquire and/or develop off-street parking and related facilities which are determined by the City Council to alleviate the need for parking spaces in the core area.
 - 2. Such parking shall be available to the public and shall be in or near commercial districts of the city.
 - 3. Funds paid to the city for in-lieu-of parking shall not be refundable, except where funds are not used within 10 years.
 - 4. In-lieu-of parking payments must be approved by the City Council.
 - 5. All in-lieu-of parking fees shall be paid prior to the issuance of any license or permit by the City.
- D. Participation in a parking assessment district shall satisfy parking requirements only to the extent of the proportion of spaces provided by said district which can be represented by the proportion of assessment to the property for which parking is required to the total assessment of the district.

12.23.07 Schedule of Off-Street Parking Space Requirements

The following off-street parking is required for each use listed:

A. Residential use types -

1. ONE FAMILY DWELLINGS: Two spaces, located in a garage or carport, for each dwelling unit.
2. TWO FAMILY DWELLINGS:
 - a. One and Two Bedroom Units - One and one-half spaces, located in a garage or carport, for each unit.
 - b. Three or More Bedroom Units - Two spaces in a garage or carport for each unit.
3. CONDOMINIUMS, HALF-PLEXES, TOWN HOMES, CLUSTER HOMES, PATIO HOMES, ETC.: (Any form of individual ownership in a multiple density project)
 - a. One and Two Bedroom Units - One and one-half spaces in a garage or carport, plus one space, which need not be in a garage or carport, for each unit.
 - b. Three or More Bedroom Units - Two spaces in a garage or carport, for each unit, plus one extra space, which need not be in a garage or carport, for each two units.
4. MULTI-FAMILY DWELLINGS:
 - a. One Bedroom Units - One space in a garage or carport for each unit, plus one-half extra space, which need not be in a garage or carport for each unit.
 - b. Two or More Bedroom Units - One space in a garage or carport, plus one space, which need not be in a garage or carport, for each unit.
5. MOBILE HOME PARK: One space in a garage or carport, plus one space, which need not be in a garage or carport, for each mobile home, and one additional open space for every three mobile homes.
6. GROUP QUARTERS SUCH AS SORORITIES, FRATERNITIES, BOARDING HOUSES: One space for each sleeping room.

B. Civic Use Types -

1. SCHOOLS AND COLLEGES including public, parochial and private elementary and high schools, kindergartens and nursery schools, one space for each 3 employees, including teachers and administrators, plus sufficient space for safe and convenient loading and unloading of students. Where needed, additional spaces for student parking may be prescribed by the City Planning Commission.
2. PLACES OF PUBLIC ASSEMBLY including churches, community centers, private clubs and lodge halls, auditoriums (including school and college auditoriums), theaters and mortuaries, one space for each 8 seats and 1 space for each 84 square feet of floor area usable for seating if seats are not fixed, and 1 space for each 3 employees.
3. HOSPITALS, SANITARIUMS, NURSING HOMES, CHARITABLE AND RELIGIOUS INSTITUTIONS providing sleeping accommodations, 1 space for each 6 beds plus 1 space for each 3 employees, and 1 space for each 3 staff doctors.
4. LIBRARIES, MUSEUMS, ART GALLERIES and similar uses, 1 space for each 3 employees plus the number of additional spaces prescribed by the City Planning Commission.
5. PUBLIC BUILDINGS AND GROUNDS other than administrative offices, 1 space for each 3 employees, plus the number of additional spaces prescribed by the City Planning Commission.
6. PUBLIC UTILITY structures and installation, one space for each 3 employees, plus the number of additional spaces prescribed by the City Planning Commission. This shall apply to the maximum number of employees on duty at any one time.
7. BUS DEPOTS, railroad stations and yards, airports and heliports, one space for each 3 employees, plus the number of additional spaces prescribed by the City Planning Commission.
8. CEMETERIES, columbariums and crematories, one space for each 3 employees, plus the number of additional spaces prescribed by the City Planning Commission.
9. LODGES AND CLUBS. One space for each 200 square feet of gross floor area.
10. BUSINESS, PROFESSIONAL AND TRADE SCHOOLS and colleges, art, craft, music and dancing schools, one space for each 3 employees, including teachers and administrators and 1 additional space for each 9 students.

11. POST OFFICES. One space for each 300 square feet of gross floor area.

C. Commercial Use Types -

1. MOTELS, HOTELS, LODGING HOUSES AND PRIVATE CLUBS providing sleeping accommodations, one space for each guest room or for each 2 beds, whichever is greater.
2. OFFICES, PUBLIC AND PRIVATE BUSINESS, ADMINISTRATIVE AND TECHNICAL SERVICES (including but not limited to accountants, architects, attorneys, engineers, insurance, real estate and similar professions), one space for each 560 square feet of gross floor area.
3. OFFICES, customer service (including but not limited to chiropractors, dentists, doctors, optometrists and similar professions), one space for each 280 square feet of gross floor area.
4. RETAIL STORES AND SERVICE ESTABLISHMENTS, BANKS. One space for each 280 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.
5. RESTAURANTS, BARS, SODA FOUNTAINS and similar establishments, one space for each 140 square feet of gross floor area, and one space for each 3 employees.
6. COMMERCIAL SERVICE ENTERPRISES, repair shops, wholesale establishments and retail stores which handle only bulky merchandise such as furniture, household appliances and motor vehicles, one space for each 700 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.
7. AUTOMOBILE, BOAT, MOBILE HOME, TRAILER SALES OR RENTAL. One space for each 400 square feet of gross floor area plus one reserved space for each 2 employees but in no case less than 6 spaces.

D. Industrial Use Types -

1. WAREHOUSES, storage buildings and storage facilities combined with commercial or industrial uses, one space for each 1400 square feet of gross floor area, except floor area used exclusively for truck loading, plus one space for each 3 employees.
2. OPEN USES, commercial and industrial uses conducted primarily

outside of buildings, one space for each 3 employees, plus a number of additional spaces prescribed by the City Planning Commission.

3. INDUSTRIAL - HEAVY (M-H INDUSTRIAL USES) EXCEPT WAREHOUSING AND WHOLESALE ESTABLISHMENTS. One parking space per 1000 square feet of gross floor area up to the first 15 employees and one space per each additional 3 employees on the shift during which the greatest number of employees is used, whichever is greater.
4. INDUSTRIAL - LIGHT (M-L INDUSTRIAL USES). One parking space per 750 square feet of gross floor area or one space per 3 employees on the shift during which the greatest number of employees are working, whichever is greater.

E. Drive-In Use Types -

1. DRIVE-IN BANK OR SAVINGS AND LOAN TELLER WINDOWS OR DEPOSIT POINTS. 7 stack-up spaces.
2. DRIVE-IN CAR WASH. 2 stack-up spaces.
3. DRIVE-IN MOVIE THEATER. 25 stack-up spaces per ticket selling window.
4. DRIVE-IN RESTAURANTS. 8 stack-up spaces per service window.
5. The above are minimum requirements. Whenever under the circumstances of the particular case the Planning Commission or Design Review Commission believes the required number would be insufficient said commissions may require additional stack-up spaces.
6. Each stack-up space shall be at least 22 feet in length and shall be located separately from the internal driveways or other driveways serving other parking lots.

- F. For the uses not specified in paragraphs A through E of this Section, the same number of off-street parking spaces shall be provided as are required for the most similar specified use.

12.23.08 Standards for Off-Street Parking Facilities

Off-street parking facilities shall conform with the following standards:

- A. Dimensions of off-street parking spaces shall conform to adopted City standards, except that those spaces in a garage or carport shall not be less

than 10' in width and 20' in length.

- B. In parking lots over 50 spaces, up to 30% of the required parking spaces in any PAO, CM, C-S, C-C, C-H, PMU, M-L and M-H Districts may be compact car size.
- C. Entrances and exits shall be provided at locations approved by the City staff.
- D. The parking area, aisles and access drives shall be paved to provide a durable, dustless surface and shall be graded and drained to allow disposal of surface water.
- E. Bumper rails shall be provided where needed for safety or to protect property.
- F. If the parking area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.
- G. No repair work or servicing of vehicles shall be conducted on a parking area except in a garage or carport.
- H. Surfacing. All required off-street parking areas shall be improved in accordance with standards adopted by the City Council.

12.23.09 Location of Off-Street Parking Facilities

- A. In an A, R, C-N, PAO, C-H, M-L, OR M-H District off-street parking facilities prescribed in Section 12.23.07 shall be located on the same site as the use for which the spaces are required or on an adjoining site or a site separated only by an alley or street from the use for which the spaces are required.
- B. Except in a parking assessment district in a C-C, C-S or PMU District, off-street parking facilities prescribed in Section 12.23.07 shall be located within 300 feet of the use for which the spaces are required, measured by the shortest route of pedestrian access.

12.23.10 Off-Street Loading Facilities Required

- A. At the time of initial occupancy of a site or of construction of a structure or of a major alteration or enlargement of a site or structure, there shall be provided off-street loading facilities for trucks in accord with the regulations prescribed in Section 12.23. For the purposes of this section the term "major alteration or enlargement" shall mean a change of use or an addition which would increase the number of loading berths required by more than 10 percent of the total number required. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition

to the number existing prior to the alteration or enlargement, unless the preexisting number is greater than the number prescribed in this section, in which instance the number in excess of the prescribed minimum shall be counted in calculating the number provided to serve the major alteration or enlargement.

- B. Off-street loading berths in addition to those prescribed in the schedule of off-street loading berth requirements shall be provided if the City Planning Commission finds that such additional berths are necessary to insure that trucks will not be loaded, unloaded or stored on public streets. A finding of the Commission shall be based on an investigation of the anticipated frequency of truck pick-ups and deliveries and of the truck storage requirements of the use for which the off-street loading berths are required.
- C. If, in the application of the requirements of this Section, a fractional number is obtained, one loading berth shall be provided for a fraction of one-half or more, and no loading berth shall be required for a fraction of less than one half.
- D. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this section for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.
- E. The off-street loading facilities requirements of this section shall be satisfied by the permanent allocation of the prescribed number of berths for each use in the common truck loading facility provided that the total number of berths shall not be less than the sum of the individual requirements and provided further that an attested copy of a contract between the parties concerned setting forth an agreement to joint use of a common truck loading facility is filed with the Planning Director.

12.23.11 Schedule of Off-Street Loading Berth Requirements

- A. MOTELS, HOTELS, OFFICES (public and private business, administrative and technical services), post offices, hospitals, sanitariums, nursing homes, charitable and religious institutions and clubs used for human habitation:

Gross Floor Area

Loading Berths
Required

Less than 7,000 sq.ft.	0
7,000 to 70,000 sq.ft.	1
70,000 to 210,000 sq.ft.	2
For each additional 210,000 sq.ft.	1

- B. COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS not including uses in the C-C or PMU Districts but including retail stores and service establishments, commercial service enterprises, warehouses, storage facilities, manufacturing plants and other industrial users:

<u>Gross Floor Area</u>	<u>Loading Berths Required</u>
Less than 7,000 sq.ft.	0
7,000 to 17,500 sq.ft.	1
17,500 to 28,000 sq.ft.	2
28,000 to 42,000 sq.ft.	3
42,000 to 70,000 sq.ft.	4
70,000 to 105,000 sq.ft.	5
For each additional 105,000 sq.ft.	1

- C. OFFICES customer service, public buildings other than administrative offices, schools and colleges, places of public assembly, institutions not used for human habitation, and public utility and public service structures and installations, when any of the foregoing required the recurring receipt, delivery, or distribution of goods or equipment by truck:

One loading berth, plus such additional berths as may be prescribed by the City Planning Commission.

- D. RAILROAD STATIONS, railroad freight stations and yards, airports and heliports:

Two berths.

- E. MORTUARIES:

<u>Gross Floor Area</u>	<u>Loading Berths Required</u>
Less than 7,000 sq.ft.	1
7,000 to 14,000 sq.ft.	2
For each additional 7,000 sq.ft.	1

- F. CEMETERIES, columbariums and crematories:

One berth plus the number of additional berths prescribed by the City Planning Commission.

- G. ANY OTHER USE which requires the recurring receipt or distribution of goods or equipment by truck:

One berth

12.23.12 Standards for Off-Street Loading Facilities

Off-street loading facilities provided in compliance with Section 12.23.11 shall conform with the following standards:

- A. Each loading berth shall be not less than forty-five feet in length and twelve feet in width and shall have an overhead clearance of not less than 14 feet, except that for mortuaries, cemeteries, columbariums and crematories, a loading used exclusively for hearses shall be not less than 24 feet in length and 10 feet in width and shall have an overhead clearance of not less than 8 feet.
- B. Sufficient room for turning and maneuvering vehicles shall be provided on the site.
- C. Each loading berth shall be accessible from a street or alley.
- D. Entrances and exits shall be provided at locations approved by the Director of Public Works.
- E. The required loading area, shall be paved in accordance with Section 12.23.08.H.
- F. Bumper rails shall be provided where needed for safety or to protect property.
- G. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.
- H. A loading area shall not be located in a required front yard.
- I. No repair work or servicing of vehicles shall be conducted in a loading area.

12.23.13 Location of Off-Street Loading Facilities

Off-street loading facilities prescribed in Section 12.23.10 shall be located on the same site with the use for which the berths are required or on an adjoining site as prescribed in Section 12.23.09.

12.23.14 Existing Uses

No existing use of land or structure shall be deemed to be a non conforming use or a non conforming structure solely because of the lack of off-street parking facilities or off-street loading facilities prescribed in this Section, provided that facilities being used for off-

street parking and off-street loading at the time of the adoption of this ordinance shall not be reduced in capacity to less than the number of spaces or berths prescribed in this article, provided that facilities being used for off-street parking and off-street loading at the time of the adoption of this ordinance shall not be reduced in capacity to less than the number of spaces or berths prescribed in this section or reduced in area to less than the minimum standards prescribed in this section.

12.23.15 Reduction of Off-Street Parking and Loading Facilities

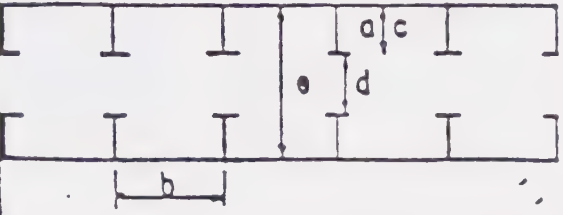
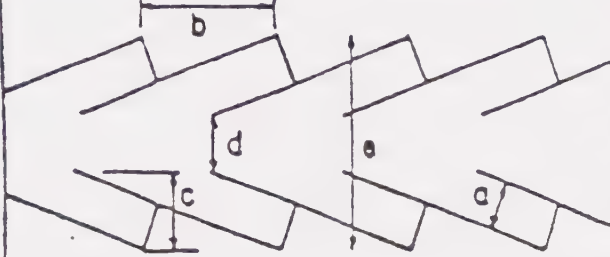
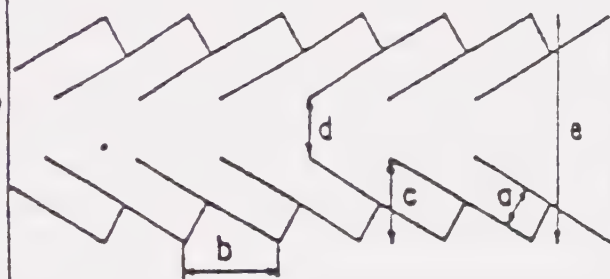
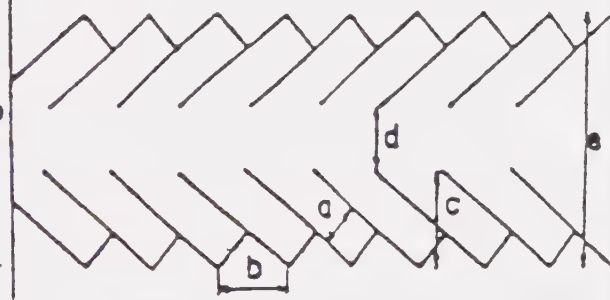
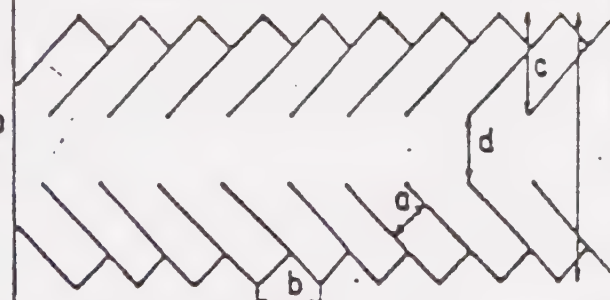
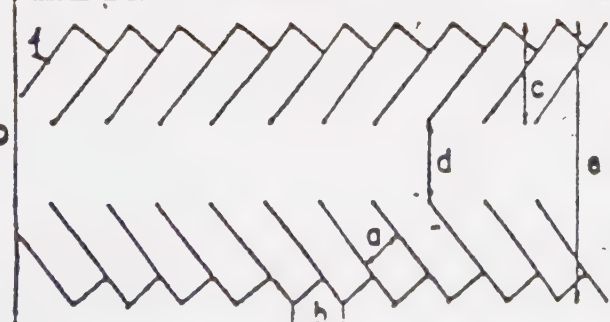
No off-street parking facility or off-street loading facility provided for a use of land or structure in compliance with Section 12.23.02 or 12.23.10 shall be reduced in capacity or in area within sufficient additional capacity or additional area being provided to comply with the regulations of this section.

12.23.16 Off-Street Parking and Loading Facilities to Serve One Use

No off-street parking space or off-street loading berth provided for a use of land or a structure in compliance with the requirements of this section shall be deemed to provide an off-street parking space or an off-street loading berth for a use or a structure on another site, except as otherwise provided in Sections 12.23.02 and 12.23.10.

12.23.17 Designation of Off-Street Parking and Loading Facilities

When off-street parking facilities or off-street loading facilities are provided, in compliance with the requirements of this section, on a site other than the site on which the use or structure to be served by the parking or loading facilities is located, an indenture shall be recorded in the office of the county recorder designating the off-street parking facility or the off-street loading facility and the use or structure to be served, with legal descriptions of both sites, and certifying that the off-street parking facility or the off-street loading facility shall not be used for any other purpose unless the restriction is removed by resolution of the City Planning Commission. An attested copy of the recorded indenture shall be filed with the Planning Director. Upon submission of satisfactory evidence that other off-street parking facilities or off-street loading facilities have been provided in compliance with the requirements of this chapter or that the use has ceased or the structure has been removed or altered so as no longer to require the off-street parking facility or the off-street loading facility, the City Planning Commission shall by resolution remove the restriction.

angle	diagram	a stall width	b curb length	c stall depth	d aisle width	e total width
0°		*7'6" 8'0" 8'4" 9'0" <hr/> 9'6" 10'0" #12'0"	21'0" 23'0" 23'0" 23'0" <hr/> 23'0" 23'0" 23'0"	7'6" 8'0" 8'6" 9'0" <hr/> 9'6" 10'0" 12'0"	12'0" 12'0" 12'0" 12'0" <hr/> 12'0" 12'0" 12'0"	27'0" 28'0" 29'0" 30'0" <hr/> 31'6" 32'0" 36'0"
20°		*7'6" 8'6" 9'0" <hr/> 9'6" 10'0" #12'0"	21'6" 24'11" 26'4" <hr/> 27'10" 29'3" 36'0"	12'9" 14'6" 15'0" <hr/> 15'6" 15'11" 18'0"	11'0" 11'0" 11'0" <hr/> 11'0" 11'0" 11'0"	36'6" 40'0" 41'0" <hr/> 42'0" 42'10" 47'0"
30°		*7'6" 8'6" 9'0" <hr/> 9'6" 10'0" #12'0"	15'6" 17'0" 18'0" <hr/> 19'0" 20'0" 24'0"	15'0" 16'11" 17'4" <hr/> 17'10" 18'3" 20'0"	11'0" 11'0" 11'0" <hr/> 11'0" 11'0" 11'0"	41'0" 44'10" 45'8" <hr/> 46'8" 47'6" 51'0"
40°		*7'6" 8'6" 9'0" <hr/> 9'6" 10'0" #12'0"	11'6" 13'3" 14'0" <hr/> 14'10" 15'8" 18'8"	16'8" 18'9" 19'2" <hr/> 19'6" 19'11" 21'6"	12'0" 12'0" 12'0" <hr/> 12'0" 12'0" 12'0"	45'4" 49'6" 50'4" <hr/> 51'0" 51'0" 55'0"
45°		*7'6" 8'6" 9'0" <hr/> 9'6" 10'0" #12'0"	10'8" 12'0" 12'9" <hr/> 13'5" 14'2" 17'0"	17'3" 19'5" 19'10" <hr/> 20'2" 20'6" 22'0"	13'0" 13'6" 13'0" <hr/> 13'0" 13'0" 13'0"	47'6" 53'4" 52'8" <hr/> 53'4" 54'0" 57'0"
50°		*7'6" 8'6" 9'0" <hr/> 9'6" 10'0" #12'0"	9'6" 11'2" 11'9" <hr/> 12'5" 13'2" 15'6"	17'9" 20'0" 20'5" <hr/> 20'9" 21'0" 22'0"	15'0" 15'6" 15'0" <hr/> 15'0" 15'0" 15'0"	50'6" 55'6" 55'10" <hr/> 56'6" 57'0" 59'0"

angle	diagram	a stall width	b curb length	c stall depth	d aisle width	e total width
60°		*7'6"	7'9"	18'6"	18'0"	55'
		8'6"	9'10"	20'9"	18'6"	60'
		9'0"	10'5"	21'0"	18'0"	60'0"
		9'6"	11'0"	21'3"	18'0"	60'6"
		10'0"	11'6"	21'6"	18'0"	61'0"
		#12'0"	13'9"	22'3"	18'0"	62'6"
70°		*7'6"	8'0"	18'6"	19'0"	56'0"
		8'6"	9'0"	20'10"	19'6"	61'2"
		9'0"	9'8"	21'0"	19'0"	61'0"
		9'6"	10'2"	21'3"	18'0"	60'5"
		10'0"	10'8"	21'3"	18'0"	60'6"
		#12'0"	12'10"	22'0"	18'0"	62'0"
80°		*7'6"	7'8"	18'0"	24'0"	60'0"
		8'6"	8'8"	20'3"	24'0"	64'6"
		9'0"	9'2"	20'4"	24'0"	64'8"
		9'6"	9'8"	20'5"	24'0"	64'10"
		10'0"	10'3"	20'6"	24'0"	65'
		#12'0"	12'3"	21'0"	24'0"	66'
90°		*7'6"	7'6"	17'0"	24'0"	58'0"
		8'6"	8'6"	19'0"	25'0"	63'0"
		9'0"	9'0"	19'0"	24'0"	62'0"
		9'6"	9'6"	19'0"	24'0"	62'0"
		10'0"	10'0"	19'0"	24'0"	62'0"
		#12'0"	12'0"	19'0"	24'0"	62'0"

! * Compact car spaces - a maximum allowed of 30% of total spaces

 Required standard size spaces

Handicapped spaces

12.24 PERFORMANCE STANDARDS

Sections:

- 12.24.01 Applicability
- 12.24.02 Dangerous or Objectionable Elements Prohibited
- 12.24.03 Noise Performance Standards
- 12.24.04 Noise Performance Standards Correction Factors
- 12.24.05 Noise Performance Standards - Exceptions
- 12.24.06 Noise Level Measurement
- 12.24.07 Air Pollution Performance Standards
- 12.24.08 Vibration Performance Standards
- 12.24.09 Humidity, Heat, Cold, and Glare Performance Standards
- 12.24.10 Fire and Explosion Hazards
- 12.24.11 Radioactivity or Electric Disturbance
- 12.24.12 Liquid or Solid Wastes
- 12.24.13 Performance Standards Procedure
- 12.24.14 Enforcement
- 12.24.15 Appeal

12.24.01 Applicability

If either the Building Inspector or the Director of Planning has reasonable grounds to believe that a proposed new use is likely to violate performance standards, the proposed use shall comply with the performance standards procedure. In addition any existing use begun after the effective date of this ordinance which the Planning Director believes violates provisions of Section 12.24 shall also be subject to these provisions. Any legal non conforming use damaged or destroyed beyond the limits described in Section 12.29 may be re-established upon approval of the City Council even though such use does not conform to the regulations of this section.

12.24.02 Dangerous or Objectionable Elements Prohibited

No land or building in any zoning district shall be occupied or used in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or amount as to adversely affect the surrounding area or adjoining premises, the foregoing are referred to as "dangerous or objectionable elements"; provided, that any use permitted or not expressly prohibited by this Chapter may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

12.24.03 Noise Performance Standards

No land use shall generate sound exceeding the maximum levels permitted in the following table when such are measured in any of the zoning districts listed in this table.

<u>Zoning District</u>	<u>Maximum Sound Pressure Level in Decibels</u>
Residential, and Medical Districts	55 dB
Multi Family Residential Districts	60 dB
"C" Districts	70 dB
"M" Districts	75 dB

12.24.04 Noise Performance Standards - Correction Factors

The following correction factors, when applicable, shall be applied to the maximum sound pressure levels given in Section 12.24.03.

<u>Time and Operation of Type of Noise</u>	<u>Correction in Maximum Permitted Decibels</u>
Emission only between 7 am & 10 pm	Plus 5
Noise of unusual impulsive character such as hammering or drill pressing	Minus 5
Noise of unusual periodic character such as hammering or screeching	Minus 5

12.24.05 Noise Performance Standards - Exceptions

The following sounds, upon compliance with stated conditions, may exceed the maximum sound pressure levels given in Section 12.24.03.

- A. Time signals produced by places of employment or worship and school recess signals providing no one sound exceeds 5 seconds in duration and no one series of sounds exceeds 24 seconds in duration;
- B. Devotional and patriotic music of worship, provided such music is emitted only between the hours of 7 am and 10 pm.
- C. Sounds from transportation equipment used exclusively in the movement of goods and people to and from given premises, temporary construction or demolition work and;

- D. Sounds made in the interests of public safety.

12.24.06 Noise Level Measurement

The following provisions shall determine means for measuring noise levels. Where these provisions conflict with other provisions of the Dixon Municipal Code, the following shall remain applicable for purposes of the Zoning Ordinance.

- A. Setting of meter. Any sound or noise level measurement made pursuant to the provisions of this ordinance shall be measured with a sound levelmeter using a A-weighting and "slow" response pursuant to applicable manufacturer's instructions, except that for sounds of a duration of 2 seconds or less the "fast" response shall be used and the average level during the occurrence of the sound reported.
- B. Calibration of meter. The sound level meter shall be appropriately calibrated and adjusted as necessary by means of an acoustical calibrator of the coupler-type to assure meter accuracy within the tolerances set forth in American National Standards ANSI-SI.4-1971.
- C. Location of microphone. All measurements shall be taken at any lot line of a lot within the applicable zoning district. The measuring microphone shall not be less than 4 feet above the ground, at least 4 feet distant from walls or other large reflecting surfaces and shall be protected from the effects of wind noises by the use of appropriate wind screens. In cases when the microphone must be located within 10 feet of walls or similar large reflecting surfaces, the actual measured distances and orientation of sources, microphone and reflecting surfaces shall be noted and recorded. In no case shall a noise measurement be taken within 5 feet of the noise source.
- D. Measured sound levels. The measurement of sound level limits shall be the average sound level for a period of one hour.

12.24.07 Air Pollution Performance Standards

All uses shall comply with the current regulations of the Yolo-Solano Air Quality Management District with respect to odor, smoke, fly ash, dust, fumes, vapors, gases and other forms of air pollution.

12.24.08 Vibration Performance Standards

No use shall be operated in a manner which produces vibrations discernible without instruments at any point on the property line of the lot on which the use is located.

12.24.09 Humidity, Heat, Cold, and Glare Performance Standards

When located in a zoning district specified below all commercial and industrial uses shall be so operated as not to produce humidity, heat, cold, or glare which is readily detectable without instruments by the average person at the following points of determination:

Zone in Which Uses are Located

Point of Determination

Any residential, commercial, office or non-industrial zoning district

At or beyond any lot line of the lot containing the uses.

Industrial District

At or beyond any boundary of the zone.

12.24.10 Fire and Explosion Hazards

The relevant provisions of the state and local laws and regulations shall apply.

12.24.11 Radioactivity or Electric Disturbance

No activities shall be permitted which emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

12.24.12 Liquid or Solid Wastes

The relevant provisions of state and local laws and regulations shall apply.

12.24.13 Performance Standards Procedure

- A. Should the Planning Commission believe that a proposed use in any district is likely to create or emit dangerous or objectionable elements or the required Environmental Impact Report is not satisfactory, they shall invoke the performance standards procedure contained herein.
- B. Whenever the performance standards procedure has been invoked for a proposed use, building permits therefore may be issued only as authorized by the Planning Commission.
- C. Application. Whenever the performance standards procedures have been invoked, the applicant shall submit, in addition to the application for a building permit, a plan in duplicate and supplemental statement of the proposed machinery, processes and products, and specifications or

standards for the mechanisms and techniques to be used to eliminate the emission of dangerous and objectionable elements as set forth in this section.

- D. Report by expert consultants. If the Planning Commission determines that proposed use may cause the emission of dangerous or objectionable elements, the Planning Commission may require the applicant to select one or more expert consultants qualified to advise as to whether a proposed use would adversely affect surrounding areas or adjoining premises by the creation or emission of dangerous or objectionable elements for investigation and report. Such report shall set forth investigation findings as to the actual performance of the proposed use and in a positive and concise manner recommend such additional installations or safeguards or devise such standards to be applied as would obviate the creation or emission of dangerous or objectionable elements. Such consultant or consultants shall address their report to the Planning Commission and a copy to the applicant at the same time. Fees to be paid by the applicant.
- E. Action by Planning Commission. Within 30 days after the Planning Commission has received the aforesaid application, or the aforesaid report, if a report is required, the Planning Commission shall decide whether the proposed use will conform to the requirements of this Section, and on such basis shall authorize or refuse to authorize issuance of a building permit or require a modification of the proposed plan of construction or specifications, proposed equipment or operation. Any building permit so authorized and issued shall be conditioned upon the applicant's completed buildings and installations conforming in operation to the performance standards as stipulated in the building permit.

12.24.14 **Enforcement**

Whenever the performance standards procedure has been invoked and a conditioned building permit as authorized by the Planning Commission has been issued, the Planning Director shall investigate any purported violation of performance standards, and if there is reasonable ground for the same, shall notify the Commission of the occurrence or existence of a probable violation thereof. If the Commission finds that a violation has occurred or exists, a copy of said findings shall be forwarded to the City Council. The services of any qualified experts, employed by the Commission to advise in establishing a violation, shall be financed by the violator if said violation is established, otherwise by the City. If a violation occurs, it will be pursued in accordance with Section 12.32.

12.24.15 **Appeal**

Appeal from the action of the Planning Commission may be made according to the provisions of Section 12.28.

12.25 HOME OCCUPATIONS

Sections:

12.25.01	Title and Purpose
12.25.02	Regulations
12.25.03	Permit Required
12.25.04	Application Procedure and Fee
12.25.05	Time Limit
12.25.06	Revocation and Review
12.25.07	Exclusions
12.25.08	Temporary Subdivision Sales Office

12.25.01 Title and Purpose

The provisions of Section 12.25.01 through Section 12.25.08, inclusive, shall be known as the Home Occupation Regulations. The purpose of the Home Occupations regulations is to permit the conduct of a business in the residential districts and to prescribe the conditions under which limited non residential activities may be conducted when incidental to residential activities. A Home Occupation is defined as a business conducted as an accessory activity within a living unit; which uses a residential address and does not need a commercial address; which primarily involves the use of the home address and telephone for business contacts; which may be conducted within a residential dwelling without in any way changing the appearance or conditions of the residence and neighborhood, subject to the conditions of Sections 12.25.01 through 12.25.08.

12.25.02 Regulations

Home Occupations in R or A Districts, or in any structure with residential use as its primary use, shall comply with the following regulations:

- A. No dwelling used for a home occupation shall be allowed any internal or external alterations or construction features in any portion thereof which are not normally found in similar dwellings, and the existence of the home occupation shall not be apparent beyond the boundaries of the site.
- B. A home occupation shall be conducted within a dwelling by an inhabitant thereof and shall be clearly incidental to the use of the structure as a dwelling.
- C. Only individuals living in the residence may be working at the home business. Additional individuals may be associated with or employed by the home business only if they do not report to work at the home.
- D. A home occupation shall not occupy more than 25 percent of the total structure including the garage.

- E. Except in an "A" District, a home occupation shall not be conducted in an accessory structure.
- F. There shall be no stock in trade other than products manufactured on the premises: No materials, equipment or supplies associated with the business may be stored on site, except a small quantity of samples and/or equipment which may normally be used at a residence. Such accessory equipment may not be located in an accessory structure or outside the residence. Any supplies, other than small quantities, intended for sale must be received, stored, and sold to customers at off-premise locations.
- G. A home occupation shall not create any radio or television interference or create noise audible beyond the boundaries of the site.
- H. No odor or gaseous, liquid or solid waste shall be emitted.
- I. Not more than one truck of not more than 3/4 ton capacity and no semi-trailers incidental to a home occupation shall be kept on the site.
- J. A home occupation shall not create pedestrian, automobile or truck traffic significantly in excess of the normal amount in the district. An example of acceptable traffic would be a parcel post delivery. No direct retail sales transaction or display may occur at the residence.
- K. A home occupation shall not be permitted to occupy a garage, unless adequate off-street parking spaces are provided in accordance with Section 12.23 of the Dixon City Code.
- L. No signs of any kind shall be allowed.
- M. Flammable or explosive chemicals, devices or processes shall not be allowed without written approval of the Dixon Fire Department.
- N. Activities and/or materials associated with the proposed Home Occupation shall not be visible from the street or adjacent properties.
- O. No portion of any dwelling shall be used for a home occupation which has a separate designated access or private entrance specifically for the home occupation use.
- P. The home occupation must be conducted within a residential dwelling without in any way changing the appearance or conditions of the residence and neighborhood.
- Q. Exemptions to the strict adherence of these regulations may be granted by the Community Development Director when it can be documented in writing,

by a licensed physician that an individual seeking a home occupation permit has a serious medical condition or physical disability which requires the conduct of business from a residence. Whenever such exemption is granted, the exemption may be subject to conditions which provide reasonable accommodation while minimizing the negative impacts the home occupation may have on the surrounding neighborhood. The Community Development Director, prior to approving such an exemption, shall first notify the Planning Commission and City Council of the intent to approve such use. If there are no objections or questions about the appropriateness of the proposed exemption, the matter shall be referred to the Planning Commission for a decision. The Planning Commission decision would be subject to appeal to the City Council under the procedures of Section 12.28 of the Zoning Ordinance.

12.25.03 **Permit Required**

All home occupations shall require an administrative permit approved by the Community Development Director. Approval may be given when the Community Development Director finds that Home Occupation Regulations and standards have and/or will be met. A home occupation permit is not transferrable to any person or location other than those specifically listed on the permit.

12.25.04 **Application Procedure and Fee**

- A. Application for a Home Occupation permit shall be made to the Community Development Department and the following data shall be provided at a minimum:
 - 1. Name and address of the applicant.
 - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner.
 - 3. Address or description of the property.
 - 4. Statement of the precise nature of the home occupation, together with sufficient information to indicate whether the home occupation will comply with the regulations prescribed in Section 12.25.02.
- B. The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this Section. Staff shall notify the City Council and Planning Commission and all property owners within 300 feet of the site on the same street as the proposed home occupation, and within 100 feet of the site on other streets. Property owners have 15 days to respond to said notice.

- C. Any objections to the proposed home occupation may be considered in the decision to approve or deny the request. The Community Development Director has the authority to impose conditions upon the home occupation to ensure compliance with the Home Occupation Regulations, or to deny portions or all of the proposed activities. The decision of the Community Development Director shall be final unless an appeal is filed within 15 days of the decision. Such appeal shall be heard in the manner prescribed in Section 12.28.
- D. In cases where a home occupation is discovered to be operating illegally without a proper Home Occupation permit, the applicant shall be required to submit additional application fees, in an amount equal to twice the amount of the normal Home Occupation permit application fee.
- E. A City Business License shall be obtained prior to issuance of a Home Occupation Permit.

12.25.05 **Time Limit**

All home occupations shall be valid for a period of 1 year from initial date of approval. Renewal is subject to Community Development Director approval, and requires submittal of annual renewal fee.

12.25.06 **Revocation and Review**

- A. The Planning Commission may void any Home Occupation permit for non-compliance with the criteria set forth in Section 12.25.02 after holding a public hearing on such proposed revocation.
- B. Any permit shall be subject to immediate review by the Planning Commission upon the receipt of a written complaint.

12.25.07 **Reapplication**

Following the denial or revocation of a Home Occupation permit application, no application for the same or substantially the same home occupation on the same site shall be filed within one year of the date of denial or revocation of the permit.

12.25.08 **Exclusions**

The following activities shall not in any case qualify as a home occupation:

- A. Teaching of organized classes totalling more than 6 persons at one time.
- B. Care, treatment or boarding of animals for profit.
- C. Operating a barbershop or beauty parlor.

- D. Operation of food handling, processing or packing.
- E. Auto or other motor vehicle repair, junk or secondhand merchandise yard storage.
- F. Doctors, dentists, chiropractors and osteopaths.
- G. Laundries.
- H. Sexually - oriented adult business.
- I. Cabinetry, large appliance repair (ie: refrigerators, stoves, HVACs) conducted on site.
- J. Sale, transfer, lease, or advertising of firearms, munitions, explosives, or other destructive devices.

12.25.09 Temporary Subdivision Sales Office

One temporary sales office in a subdivision of not less than 5 acres located not less than 200 feet from any existing dwelling outside of the subdivision measured along street lines shall be permitted subject to the granting of a subdivision sales office permit. A permit for a subdivision sales office may be issued by the Community Development Director at any time after the recordation of the subdivision and shall become void one year following the date on which the permit was issued, and the office shall be removed unless prior to the expiration of one year, renewals of the permit for a period of not more than one year shall be approved by the Community Development Director, until the last units are sold. (Ord No. 9405)

12.26

SCREENING AND LANDSCAPING REGULATIONS

Sections:

- 12.26.01** Title and Purpose
- 12.26.02** Safety Standards Applicable to Required Screening and Landscaping
- 12.26.03** Required Screening
- 12.26.04** Design Standards Applicable to Required Screening
- 12.26.05** Height Standards Applicable to Required Screening
- 12.26.06** Measurement of Height of Screening
- 12.26.07** Required Landscaping
- 12.26.08** Special Regulations Applicable to Landscaping Along Designated Scenic Highways
- 12.26.09** Design Standards Applicable to Required Landscaping

12.26.01 Title and Purpose

The provisions of Section 12.26.01 through Section 12.26.09 inclusive, shall be known as the Screening and Landscaping Regulations. The purpose of these provisions is to prescribe standards for screening, fences, walls, and landscaping within the City of Dixon for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy, the control of dust, the abatement or attenuation of noise, and the improvement of the visual environment, including the provision of a neat appearance in keeping with neighborhood character.

12.26.02 Safety Standards Applicable to Required Screening and Landscaping

- A. Safety Standards. Required fences, walls, other screening and landscaping, whether provided in accordance with the provisions of Section 12.26.03 and 12.26.07 or provided in addition to those provisions, shall be subject to review by the Director of Public Works in the following areas:
 - 1. Within 10 feet of the point of intersection of:
 - (a) A vehicular accessway or driveway and a street; or
 - (b) A vehicular accessway or driveway and a sidewalk.
 - 2. Within 20 feet of the point of intersection of 2 or more vehicular accessway, driveways, or streets.

12.26.03 Required Screening

An opaque shall be installed and maintained in the following locations in accordance with the regulations in Sections 12.26.04 and 12.26.05 inclusive.

- A. Commercial and Industrial Districts. Along all zone boundaries, other than streets, where the building site abuts residential zoning districts.
- B. Professional Office Districts. Along all zone districts, other than streets, where building site abuts Residential Districts and around parking and maneuvering areas that would otherwise be visible from a street except that such screening shall be located no closer than 10 feet from the property line where street-side landscaping is required by the provision in this section.
- C. Automotive and Equipment Use Types. On building sites with automotive and equipment use types, regardless of zoning, along all zone boundaries, other than streets, where the building site abuts residential zoning districts or the agricultural District. Notwithstanding the provisions of Section 12.26.04 only masonry walls shall be used.
- D. Parking Facilities. Along unenclosed off-street parking facilities wherever such facilities are located across the street from property used or zoned for residential use and less than 50 feet from such street; or are located less than 5 feet from property used or zoned for residential use.
- E. Nonresidential uses in residential districts. On building sites with nonresidential uses located in residential zoning districts along all property lines abutting residences. For the purpose of this subsection, nonresidential use shall not include Home Occupations.

12.26.04 Standards Applicable to Required Screening

Unless otherwise provided by Section 12.26.03 required screening shall be subject to the following standards:

- A. Screening Types. A screen shall consist of any combination of the following types:
 - 1. Walls. A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of 4 inches thick.
 - 2. Berms. A berm shall be not more than 20 feet in width at the base. It shall be constructed of earthen materials and it shall be landscaped.
 - 3. Fences, Solid. A solid fence shall be constructed of wood, masonry or chain link type fence combined with plant materials or wood slats to form an opaque screen.
 - 4. Fences, Open. An open weave, mesh or chain link type fence.
 - 5. Planting. Plant materials, when used as a screen, shall consist of

compact evergreen plants. They shall be of a kind, or used in such a manner, so as to provide screening having a height which meets the requirements set forth in Section 12.26.05 and a minimum width of 2 feet, within 18 months after initial installation. The Planning Director shall require that the screens in either paragraphs 1, 2 or 3 above be installed, if after 18 months after installation, plant materials have not formed an opaque screen or if an opaque screen is not maintained.

- B. Signs and Sign Supports. No signs or sign supports shall be permitted on any required screening.

12.26.05 Height Standards Applicable to Required Screening

In accordance with the provisions of Section 12.26.02 or in addition to those provisions, fences, walls and other screening shall be subject to the following height standards; provided, however, that wherever the provisions of Section 12.26.04 apply, those provisions shall govern.

- A. Commercial, Professional Offices and Medical Districts. Required screening, except for plant material, shall not be more than 6 feet in height.
- B. Industrial Districts. Required screening, except for plant materials, shall not be more than 8 feet in height.
- C. Automotive and Equipment Type Uses. Notwithstanding the provisions of an applicable zone, fences, walls and other screening on any building site within an automotive and equipment use type, required screening shall not be more than 8 feet in height.
- D. Parking Facilities. Notwithstanding the provisions of an applicable zone, screening around an unenclosed off-street parking facility, as specified in Section 12.26.03D required screening shall not be more than 6 feet in height.
- E. All Other Building Sites. Fences, walls, and other screening on building sites not subject to the regulations of subsections A through E shall be subject to the following height limits:
 - 1. Within Required Front Yard. The maximum height shall be 3 feet within any required front yard.
 - 2. Within Required Side Yard. The maximum height shall be 6 feet to within 10 feet of a side property line adjoining a public street. Fences within the 10 feet side yard adjacent to a street shall be a maximum height of 3 feet.
 - 3. All Other Areas. In all cases other than those specified in Subsection

E.1. screening shall not be more than 6 feet in height.

12.26.06 **Measurement of Height of Screening**

The height of fences, walls and other screening shall be measured above the actual adjoining level of finished grade, except that where there is a difference in elevation on opposite sides of such fence, wall or other screening, the height shall be measured from the highest original elevation. Notwithstanding these requirements, where the finished elevation of the property is lower at the boundary line, or within 5 feet inside the boundary line, than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy a screening requirement. Where screening is required along a public or private street and the roadway elevation is higher than the property in question, the Planning Director may require screens to be higher than permitted by the applicable height limit.

12.26.07 **Required Landscaping**

The following landscaping shall be installed and maintained in accordance with the regulations of Section 12.26.09.

A. Neighborhood Shopping and Professional Office Districts

1. Boundary Landscaping. Boundary landscaping is required for a minimum depth of 10 feet along all property lines abutting streets except for the area required for street openings.
2. Additional Landscaping. Additional landscaping, equal to at least 7 percent of the total area of the building site, is required and a minimum of 25 percent of such landscaping shall be located in the area devoted to parking.
3. Trees. At least 2 street trees are required for each 50 feet of street frontage or fraction thereof.

B. Industrial District

1. Boundary Landscaping. Boundary landscaping is required for a minimum depth of 8 feet along all property lines abutting streets except for the area required for street openings.
2. Vehicle Storage and Parking Areas. In addition to the landscaping required by Subsection B.1, not less than 5 percent of any vehicle storage or parking area shall be landscaped in addition to, or in conjunction with Section 12.27.02.C.1.
3. Additional Landscaping. All portions of the building site, exclusive of

structures, parking areas, recreational uses, driveway and walkways, shall be landscaped.

4. Trees. At least one street tree is required for each 50 feet of street frontage or fraction thereof.

C. Highway Commercial and Service Commercial Districts

1. Boundary Landscaping with Vehicular Easement. Where a vehicular easement is created parallel to a street, it shall be separated from such street by landscaping at least 5 feet wide except for the area required for street openings.
2. Boundary Landscaping without Vehicular Easement. Where a vehicular easement is not created parallel to the street, landscaping at least 10 feet wide shall be installed along and adjacent to the ultimate right-of-way line of any abutting street except for the area required for street openings.
3. Trees. At least two street trees are required for each 50 feet of street frontage or fraction thereof.

D. Nonresidential and Multi-Family Uses in Residential Zoning Districts. Where nonresidential and multi-family uses are located in residential zoning districts, landscaping shall be installed and maintained in accordance with the following provisions and the provisions of Section 12.26.09.

1. Area. Landscaped areas shall comprise a minimum of 20 percent of all building sites and shall include as a minimum:
 - (a) A 15 feet wide area along all street frontages; and
 - (b) A 10 foot wide area along all interior property lines.
2. Trees. At least two street trees are required for each 50 feet of street frontage or fraction thereof.
3. Off -Street Parking. Landscaping of off-street parking areas shall include, but not be limited to the following:
 - (a) Ends of parking rows capped with a landscape planter to define rows;
 - (b) A maximum distance of 35 feet between planted areas located along parking rows.

E. Automotive and Equipment Use Types. Notwithstanding the provisions of an applicable zoning district, on any building site with an automotive and

equipment use the following landscaping shall be required in accordance with the regulations of Section 12.26.09. Boundary landscaping is required for a minimum depth of 10 feet along all property lines abutting streets except for the area required for street opening and the area within 4 feet on either side of street openings.

12.26.08 **Special Regulations Applicable to Landscaping Along Designated Scenic Highway**

In reviewing landscape plans, the minimum landscaping requirements of Section 12.26.07 may be increased or otherwise modified by the Design Review Committee in order to meet the following objective:

- A. Uses which by their nature will detract from the scenic qualities of a particular designated route should be screened as much as practicable.
- B. Landscaping should not obstruct significant views.
- C. Landscaping should harmonize with the natural landscaping of the site.

12.26.09 **Standards Applicable to Required Landscaping**

All required landscaping shall conform to the following requirements:

- A. Required landscaping materials are defined as follows:
 - 1. Shrubs, of one gallon size or larger;
 - 2. Street trees, or 15 gallon size or larger, and double staked;
 - 3. Ground cover; and
 - 4. Decorative nonliving landscaping materials such as sand, stone, gravel, wood or water may be used to satisfy up to 30 percent of required landscaped area when approved by the Design Review Committee.
- B. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least 6 inches higher than the adjacent vehicular area.
- C. Existing Vegetation. Every effort shall be made to incorporate on-site trees and shrubbery into the required landscaping.
- D. Maintenance. Required landscaping shall be maintained in a neat, clean and healthy condition. This shall include pruning, mowing of lawns, weeding,

removal of litter, fertilizing, replacement of plants when necessary, and the regular water of all plantings.

E. Reduction of standards prescribed in Section 12.26 are as follows:

1. The Design Review Committee may reduce these standards by not more than 50 percent when adherence to these standards would be impractical due to:
 - (a) Location of existing structure,
 - (b) Special site organization requirements,
 - (c) Topography, and
 - (d) Novel or experimental techniques of design or land development.
2. The Design Review Committee may waive partially or completely these standards in cases where the existing building abuts street property line or is within 5 feet of the street property line.

12.27

ENERGY AND WATER CONSERVATION REGULATIONS

Sections:

- 12.27.01** Title and Purpose
- 12.27.02** Energy Conservation Guidelines
- 12.27.03** Water Conservation Guidelines

12.27.01 Title and Purpose

The provisions of this section shall be known as the Energy and Water Conservation Regulations. The purpose of these provisions are to encourage the conservation of depletable energy resources and water resources, and to facilitate the utilization of alternative, nondepletable energy resources, including solar energy.

12.27.02 Energy Conservation Guidelines

A. Circulation and Transportation

1. Subdivisions, planned unit developments, and large scale commercial developments shall be designed to encourage energy conserving transportation practices while discouraging unnecessary automobile use. Applications for site development plan approval of these developments shall include pedestrian and bicycle circulation systems which are orderly, well-maintained, and convenient to use.
2. Developments including civic, commercial and industrial use types shall provide bicycle racks for the use of their employees and the persons they serve.

B. Efficient Use of Solar Energy

1. Subdivision and residential planned developments shall be designed to the maximum extent possible so that dwelling units are oriented to the south to permit maximum exposure to the winter sun for solar heating. When necessary in order to achieve a southerly orientation for individual dwelling units the Planning Commission, upon application for conditional use permit as provided by Section 12.21, may waive minimum yard requirements.
2. Buildings, landscaping, vegetation, fences, and other solar screens should be located and sited to the minimum extent possible so that they do not preclude or discourage the use of solar energy in adjacent properties and buildings. Where necessary, the Planning Director may require submission of a map showing shadows cast by solar screens, including landscaping and vegetation at maturity, for 12 noon

(Solar Time) on December 21.

3. Exterior clothes drying facilities shall not be prohibited in subdivisions and shall be provided in apartment house and condominium developments.
4. Exterior active and passive solar energy collectors and ancillary equipment shall not be prohibited in subdivisions, apartment houses, and condominiums.

C. Functional Landscaping

1. All parking areas shall be landscaped so that their surfaces are at least 30% shaded in June 22 when the sun is directly overhead and at landscape maturity. Any species of trees used to achieve such shading shall be deciduous and resistant to disease and parasites common in Dixon such as Dutch Elm disease and mistletoe.

12.27.03 Water Conservation Guidelines

All vegetation and landscaping required by the zoning regulations shall employ drought resistant species.

12.28

APPEALS

Sections:

- 12.28.01 Purpose of Appeals
- 12.28.02 Filing Written Notice of Appeal; Appeals by City Council Members
- 12.28.03 Scheduling of Appeals
- 12.28.04 Fees
- 12.28.05 Appeal to Stay all Proceedings
- 12.28.06 Submission of Record of Action of Administrative Officer or Advisory Body
- 12.28.07 Notification
- 12.28.08 Public Hearing Generally
- 12.28.09 Notice of Public Hearing
- 12.28.10 Findings of City Council
- 12.28.11 Action by City Council

12.28.01 Purpose of Appeals

The purpose of appeal procedure is to provide recourse in case it is alleged that there is error in any order, requirement, permit, decision or determination made by an administrative official or advisory body in the administration or enforcement of the Zoning Ordinance.

12.28.02 Filing Written Notice of Appeal; Appeals by City Council Members

Any person aggrieved by the action of an administrative official or advisory body in the administration or enforcement of the Zoning Ordinance may file a written notice of appeal to the City Clerk in the manner prescribed by the City Council within 10 days from final determination of the body or official from which the appeal is being taken. If no appeal is made within the time as prescribed herein, the determination of the administrative official or advisory board is final. A "person aggrieved by the action" as that phrase is used in this Section, may in all instances include any member of the City Council. If an appeal is initiated by a City Council Member, Section 12.28.04 shall not be applicable, and a majority of the City Council shall determine at the next regular council meeting whether or not the Council will entertain the appeal.

12.28.03 Scheduling of Appeals

Appeals shall proceed in the following manner:

- A. Appeal of a Planning Commission decision shall be scheduled for City Council hearing;
- B. Appeal of a decision of the Design Review Commission shall be scheduled for a Planning Commission hearing, unless the Planning Commission was

acting as the Design Review Commission, in which event the appeal shall be scheduled for a City Council hearing. (Ord No. 8206)

- C. Appeal of a decision of an administrative official shall be reviewed by the City Manager and then scheduled by the manager for the most appropriate advisory body or the City Council.

12.28.04 Fees

The written notice of appeal shall be accompanied by a fee as prescribed by City resolution. No part of such fee is refundable; except, at the discretion of the City Council, fees may be refunded in whole or in part.

12.28.05 Appeal to Stay All Proceedings

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify that a stay would in the officer's opinion cause imminent peril to life and property.

12.28.06 Submission of Record of Action of Administrative Officer or Advisory Body

A full record in writing shall be submitted by the Administrative Officer or advisory body whose action is appealed, setting forth reasons for action taken.

12.28.07 Notification

The City Clerk shall give notice to the applicant and to the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the Planning Commission or City Council.

12.28.08 Public Hearing Generally

No public hearing need be held on the appeal; provided, that the City Council may hold a public hearing if it deems it necessary in the public interest.

12.28.09 Notice of Public Hearing

If a public hearing is to be held, the notice of the time, place and purpose of the hearing shall be given by publication in a newspaper of general circulation in the City not less than 10 days prior to the date of hearing, and by such other means as the City Council deems necessary. Failure of owners or citizens to receive notice of hearing shall in no way affect the validity of the action taken.

12.28.10 Findings of City Council

The City Council shall find whether in its opinion error was made by the administrative officer or advisory body. With respect to use permit and variances the Council shall if it approves such variance or use permit make the findings required in Section 12.21.07 and 12.22.07.

12.28.11 Action by City Council

The City Council may, within the terms of the Zoning Ordinance, affirm, reverse or modify the action appealed as it deems just and equitable, and the determination of the City Council shall be final.

12.29

NONCONFORMING USES AND STRUCTURES

Sections:

- 12.29.01 Purposes
- 12.29.02 Continuation and Maintenance
- 12.29.03 Alterations and Additions to Nonconforming Uses
- 12.29.04 Alterations and Additions to Nonconforming Structures
- 12.29.05 Change of Use
- 12.29.06 Abandonment of a Damaged Structure
- 12.29.07 Restoration of a Damaged Structure

12.29.01 Purposes

- A. A nonconforming use is a use of a structure or land which was lawfully established and maintained prior to April 13, 1982 but which, under this ordinance, does not conform with the use regulations for the district in which it is located. This Section is intended to limit the number and extent of nonconforming uses by prohibiting their enlargement and their re-establishment after abandonment and by prohibiting the alteration of the structure they occupy and their restoration after destruction.
- B. A nonconforming structure is a structure which was lawfully erected prior to April 13, 1982 but which, under this ordinance, does not conform with the standards of coverage, yard spaces, height of structures or distance between structure prescribed in the regulations for the district in which the structure is located. While permitting the use and maintenance of nonconforming structures by prohibiting their being moved, altered, or enlarged so as to increase discrepancy between existing conditions and the standards prescribed in this ordinance and by prohibiting their restoration after destruction.

12.29.02 Continuation and Maintenance

- A. A use lawfully occupying a structure or a site after April 13, 1982 which does not conform with the use regulations for the district in which the use is located shall be deemed to be a nonconforming use and may be continued, except as otherwise provided in this Section.
- B. A structure lawfully occupying a site after April 13, 1982 or of amendments thereto which does not conform with the standards of coverage, front yard, side yard, rear yard, height of structure or distances between structures prescribed in the regulations for the district in which the structure is located shall be deemed to be a nonconforming structure and may be used and maintained except as otherwise provided in this section.

- C. Routine maintenance and repairs may be performed on a structure or site, the use of which is nonconforming structure.

12.29.03 Alterations and Additions to Nonconforming Uses

- A. No structure, the use of which is nonconforming, shall be moved altered or enlarged unless required by law, or unless moving alteration or enlargement will result in the elimination of the nonconforming use, except that a structure housing a nonconforming residential use located in an A, R or C District may be moved, altered or enlarged, provided that the number of dwelling units is not increased.
- B. No structure partially occupied by a nonconforming use shall be moved, altered or enlarged in such a way as to permit the enlargement of the space occupied by the nonconforming use.
- C. No nonconforming use shall be enlarged or extended in such a way as to occupy any part of the structure or site or another structure or site which it did not occupy on the effective date of this ordinance or of the amendment thereto which caused it to become a nonconforming use, or in such a way as to displace any conforming use occupying a structure or site.
- D. A conforming use may be allowed to occupy all or a portion of the space formerly occupied by a nonconforming space so long as the total amount of space occupied by a nonconforming use is not enlarged.

12.29.04 Alterations and Additions to Nonconforming Structures

No nonconforming structure shall be moved, altered, enlarged or reconstructed so as to increase the discrepancy between existing conditions and the standards of coverage, front yard, side yard, rear yard, height of structure or distance between structures prescribed in the regulations for the district in which the structure is located.

12.29.05 Change of Use

The nonconforming use of a structure or site shall not be changed to another nonconforming use.

12.29.06 Abandonment of Nonconforming Use

Whenever a nonconforming use has been abandoned, discontinued or changed to a conforming use for a continuous period of 90 days, the nonconforming use shall not be re-established, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located.

12.29.07

Restoration of a Damaged Structure

- A. Whenever a structure, the use of which does not conform with the regulations for the district in which it is located, or a structure which does not comply with the standards of coverage, front yard, rear yard, height of structure or distance between structures prescribed in the regulations for the district in which the structure is located, shall be destroyed by fire or other calamity or by act of God or by the public enemy to the extent of 50 percent or less, the structure may be restored and the nonconforming use may be resumed, provided that restoration is started within 1 year and diligently pursued to completion.
- B. Whenever a structure, the use of which does not conform with the regulations for the district in which it is located, or a structure which does not comply with the standards of coverage, front yard, rear yard, height of structure or distance between structures prescribed in the regulations for the district in which the structure is located, shall be destroyed by fire or other calamity or by act of God or by the public enemy to a greater extent than 50 percent, or shall be voluntarily razed or shall be required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the district in which it is located, and the nonconforming use shall not be resumed.
- C. The extent of damage or partial destructions shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage or partial destruction, to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the Chief Building Inspector.

12.30

AMENDMENTS

Sections:

12.30.01	Purposes
12.30.02	Initiation
12.30.03	Application and Fee
12.30.04	Public Hearing Notice
12.30.05	Hearing
12.30.06	Investigation and Report
12.30.07	Action of City Planning Commission
12.30.08	Action of City Council
12.30.09	Change of Zoning Map
12.30.10	New Application
12.30.11	Annexed or Unzoned Territory

12.30.01 **Purposes**

The Zoning Ordinance may be amended by changing the boundaries of any district or by changing any district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision thereof in accord with the procedure prescribed in this section.

12.30.02 **Initiation**

- A. A change in the boundaries of any district may be initiated by:
1. The owner of the property within the area for which a change of district is proposed or the authorized agent of the owner filing an application for a change in district boundaries. If the area for which a change of district is proposed is in more than one ownership, all the property owners or their authorized agents shall join in filing the application.
 2. A resolution of the Planning Commission or action of the City Council in the form of a request to the Commission that it consider a proposed change in boundaries.
- B. A change in boundaries of any district, or a change in a district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision may be initiated by resolution of the City Planning Commission or by action of the City Council in the form of a request to the Commission that it consider a proposed change, provided that in either case the procedure prescribed in Sections 12.30.03 through 12.30.08 shall be followed.

12.30.03 **Application and Fee**

A property owner desiring to propose a change in the boundaries of the district in which his property location or its authorized agent may file an application with the City Planning Commission for a change in district boundaries which shall include the following data:

- A. Name and Address of the applicant.
- B. Statement that the applicant is the owner of the property for which the change in district boundaries is proposed or the authorized agent of the owner.
- C. The application shall be accompanied by a sketch of the site showing the location of the property with respect to adjacent properties and streets.
- D. The application shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of processing the application as prescribed in this section.
- E. In the event the proposed amendment is to change the boundaries of any district or to change the district designation of any property an accurate scale drawing of the site and the surrounding area for a distance of 300 ft. from each boundary of the site shall be submitted. Such drawing shall also show the locations of existing streets and property lines. Such drawing shall also be accompanied by a list of the names and last known addresses of the recorded legal owners of all properties shown on the drawing.

12.30.04 **Public Hearing - Notice**

- A. The City Planning Commission shall hold at least 1 public hearing on each application for a change in district boundaries or of a district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision of the Zoning Ordinance initiated by the Commission or the City Council within 45 days of the date when the application was filed or the proposal was initiated. Notice of the public hearing shall be given not less than 10 calendar days nor more than 30 days prior to the date of the hearing in the City Hall of the City and by publication in a newspaper of general circulation within the City.
- B. When a public hearing is to be held on an application or a proposal for a change in a district boundary, notice of a public hearing shall be given not less than 10 days nor more than 30 days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on the latest adopted tax roll of Solano

County as owning property within 300 ft. of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing.

12.30.05 **Hearing**

- A. At the public hearing the City Planning Commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is necessary to achieve the objectives of the Zoning Ordinance prescribed in Section 12.01.01.
- B. The commission may review proposals for the use of the property for which a change in district boundaries is proposed or plans or drawings showing proposed structures or other improvements, in the light of the fact that under the provisions of this ordinance a change in district boundaries cannot be made conditionally and the owner of the property is bound only to comply with the regulations.

12.30.06 **Investigation and Report**

The Planning Director shall make an investigation of the application or the proposal and shall prepare a report thereon which shall be submitted to the City Planning Commission.

12.30.07 **Action of City Planning Commission**

Within 45 days following the public hearing the City Planning Commission shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 12.01.01. The Commission shall transmit a report to the City Council recommending that the application be granted or denied or that the proposal be adopted or rejected, together with 1 copy of the application, resolution of the Commission or request of the Council, the sketch of the site and the surrounding area and all other data filed therewith, the minutes of the public hearing, the report of the Planning Director and the findings of the Commission.

12.30.08 **Action of City Council**

- A. The City Council shall consider the recommendation of the Planning Commission at a public hearing duly noticed as prescribed by State law.
- B. At the time and place set for the public hearing the City Council shall review the application and the resolution or report of the Commission, the report of the Planning Director and any public comments.
- C. The City Council shall make a specific finding as to whether the change is required to achieve the objectives of the Zoning Ordinance prescribed in Section 12.01.01. If the Council finds that the change is required, it shall

enact an ordinance amending the zoning map or an ordinance amending the regulations of the Zoning Ordinance, whichever is appropriate. If the Council finds that the change is not required, it shall deny the application or reject the proposal.

12.30.09 **Change of Zoning Map**

A change in a district boundary shall be indicated on the zoning map with a notation of the date and number of the ordinance amending the map.

12.30.10 **New Application**

Following the denial of an application for a change in a district boundary, no application for the same or substantially the same change shall be filed within 1 year of the date of the application.

12.30.11 **Annexed and Unzoned Territory**

- A. All territory which is annexed to the City or which is unzoned or becomes unzoned through abandonment of a public street or railroad right-of-way shall automatically and without public hearing be unclassified in the T - Temporarily Unclassified District, unless otherwise zoned at the time of annexation.
- B. The City Planning Commission shall make a study of the territory to determine in which zoning district it should be classified in order to carry out the objectives of the Zoning Ordinance prescribed in Section 12.01.01. If the Commission finds that a change of district is required, it shall initiate the change as prescribed in Section 12.01.01. If the Commission finds that a change of district is required, it shall initiate the change as prescribed in Section 12.30.02.A.2. The owner of annexed property or the authorized agent of the owner may file an application for a change in district as prescribed in Section 12.30.02.A.1.

12.31 PREZONING

Sections:

- 12.31.01** Authorized
- 12.31.02** Initiation; Application Fee
- 12.31.03** Application
- 12.31.04** Public Hearings; Recommendations of Planning Commission
- 12.31.05** Action of City Council

12.31.01 Authorized

Unincorporated territory adjoining the City may be prezoned for the purpose of determining the zoning that will apply to such property in the event of subsequent annexation to the City. The method of accomplishing such prezoning shall be as provided by the Section 12.30.

12.31.02 Initiation; Application Fee

Application for prezoning may be initiated by the City Council or the Planning Commission or by application of one or more owners of property affected by the proposed prezoning, which application, in the case of an individual applicant, shall be accompanied by a fee as prescribed by City resolution.

12.31.03 Application

An application for prezoning shall be filed on a form prescribed for that purpose by the city and shall be accompanied by maps, drawings and data necessary to demonstrate that the proposed prezoning is in general conformance to the General Plan of the City, if the same covers the area sought to be prezoned, and that public necessity, convenience and general welfare require the adoption of the proposed prezoning. An accurate and precise legal description and a map of the subject property and existing buildings shall be submitted with the application. The map shall be drawn from and at the same scale as the county assessor's block book maps and shall include the following information:

- A. All parcels of land, any parts of which are closer than 300 feet from any part of the property proposed to be prezoned.
- B. Full names and addresses of registered owners of all parcels described in Subsection (A) of this section, within 300 feet.
- C. Existing streets, streets proposed by an officially adopted plan of the City and all surface drainage channels.
- D. Existing zoning of all the land within 300 feet of the property proposed to be

prezoned whether within or without the City.

12.31.04 **Public Hearings; Recommendations of Planning Commission**

- A. Without regard to whether such application is initiated by the City Council, the Planning Commission or one or more of the owners of the property affected, the Planning Commission shall hold a public hearing on any proposed ordinance to prezone. Notice of the time and place of such hearing, including a general explanation of the matter to be considered, and including a general description of the area affected, should be given at least 10 calendar days before the hearing in the following manner:
 - 1. Notice shall be published at least once in a newspaper of general circulation, published and circulated in the area to be prezoned, or if there is none, it shall be posted in at least 3 public places in the area to be prezoned.
 - 2. In addition to notice by publication as hereinabove provided, the City may give notice of the hearing in such other manner as it may deem necessary or desirable.
- B. Any hearing may be continued from time to time.
- C. After the hearing, the Planning Commission shall render its decision in the form of a written recommendation to the City Council. This recommendation shall include the reason for the recommendation and shall be transmitted to the City Council in such form and manner as may be prescribed by the City Council.

12.31.05 **Action of City Council**

- A. The City Council shall consider the recommendation of the Planning Commission at a public duly noticed as required by State law.
- B. At the time and place set for the public hearing the Council shall review the request for prezoning, the resolution or report of the Planning Commission, the report of the Planning Director and any public comments.
- C. The City Council shall make a specific finding as to whether the request for prezoning is required to achieve the objectives of the Zoning Ordinance prescribed in Section 12.01.01. If the Council finds that the prezoning is required, it shall enact an ordinance amending the zoning map, effective at the time the subject property is annexed to the City of Dixon. If the Council finds that the change is not required, it shall deny the request for prezoning.

12.32 **ENFORCEMENT**

Sections:

- 12.32.01** Permits, Certificates and Licenses
- 12.32.02** Enforcement
- 12.32.03** Citations
- 12.32.04** Violations - Penalties
- 12.32.05** Voidable Conveyance

12.32.01 **Permits, Certificates and Licenses**

All officials, departments and employees of the City vested with the authority or duty to issue permits, certificates or licenses shall comply with the provisions of the Zoning Ordinance and shall issue no permit, certificate or license issued in conflict with the provisions of this ordinance shall be void.

12.32.02 **Enforcement**

- A. The Planning Director shall be official responsible for the enforcement of the zoning ordinance. In the discharge of this duty the Planning Director shall have the right to enter on any site or to enter any structure for the purpose of investigation and inspection, provided that the right of entry shall exercised only at reasonable hours and that in no case shall any structure be entered in the absence of the owner or tenant without the written order of a court of competent jurisdiction. The Planning Director may serve notice requiring the removal of any structure or use in violation of this ordinance on the owner or his authorized agent, on a tenant, or on an architect, builder, contractor or other person who commits or participates in any violation. The Planning Director may call upon the City Attorney to institute necessary legal proceedings to enforce the provisions of the Zoning Ordinance, and the City Attorney hereby is authorized to institute appropriate actions to that end. The Planning Director may call upon the Chief of Police and his authorized agents to assist in the enforcement of the Zoning Ordinance.
- B. If after serving notice of a violation of the Zoning Ordinance the responsible party does not in the opinion of the Planning Director, make the necessary corrections, the Planning Director or Chief Building Official may issue a citation as provided in Section 12.32.03, through 12.32.09.

12.32.03 **Citations**

The Planning Director of the City of Dixon or the Chief Building Official as designated by the City Council of the City of Dixon shall have the authority to issue citations for violations of the Zoning Ordinance.

- A. The persons designated in Section 12.32.03 shall have the power to issue citations within the City of Dixon pursuant for violations of the Zoning Ordinance. The Planning Director is authorized by this ordinance to arrest persons, without a warrant, whenever the Planning Director has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his/her presence which is a violation of State statute or City of Dixon ordinance which the Planning Director has a duty to enforce.
- B. In any case in which a person is arrested pursuant to Section 12.32.03.A and the person arrested does not demand to be taken before a magistrate, the Planning Director making the arrest shall prepare a written notice to appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Section 853.6) of the California State Penal Code. The provisions of such Chapter (5C of the Penal Code) shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this authority.
- C. Pursuant to Government Code Section 36900, violations of the Zoning Ordinance are declared to be infractions. Every violation of these ordinances is punishable as an infraction by a fine of **FIFTY AND NO/100 DOLLARS** (\$50.00) - for a first violation; a fine of **ONE HUNDRED AND NO/100 DOLLARS** (\$100.00) - for a second violation of the same ordinance within 1 year; and a fine NOT exceeding **TWO HUNDRED FIFTY AND NO/100 DOLLARS** (\$250.00) - for each additional violation of the same ordinance within 1 year. Any violation which is an infraction may also be redressed by civil legal action.
- D. Any person, firm or corporation failing to comply with the provisions of the Zoning Ordinance or violating any provision thereof is guilty of an infraction punishable by fine as provided in Section 12.32.03.C. Such fine shall be in addition to the Building Permit fees ordinarily required.
- E. Any structure, use or sign which fails to meet the requirements of this ordinance shall be subject to abatement through civil legal proceedings as a nuisance or, in the alternative, shall be deemed an infraction punishable by fine as provided by this Section.

12.32.04 **Violations - Penalties**

- A. Any person, firm, corporation or organization violating any provision of the Zoning Ordinance except as provided in Section 12.32.03, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500 dollars and by imprisonment for a term not exceeding 6 months, or by both a fine and imprisonment. A person, firm, corporation or

organization shall be deemed guilty of a separate offense for each day during any portion of which a violation of this ordinance is committed, continued or permitted by the person, firm, corporation or organization and shall be punishable as herein provided.

- B. Any structure erected, moved, altered, enlarged or maintained and any use of a site contrary to the provisions of the Zoning Ordinance shall be and is hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately institute necessary legal proceedings for the abatement removal and enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure or use and restrain or enjoin the person, firm, corporation or organization from erecting, moving, altering or enlarging the structure or using the site contrary to the provisions of the Zoning Ordinance.
- C. All remedies provided for herein shall be cumulative and not exclusive.

12.32.05 Voidable Conveyances

Any deed of conveyance, sale or contract to sell made contrary to the provisions of this ordinance, shall be voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative or trustee in insolvency or bankruptcy, within 1 year after the date of execution of the deed of conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase other than those above enumerated, and upon the grantor, vendor or person contracting to sell or his assignee, heir or devisee.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem.

2. The second step in the process of identifying a problem is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes of the problem. Once the causes of the problem have been identified, the next step is to develop a plan to address the problem.

3. The third step in the process of identifying a problem is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan.

4. The fourth step in the process of identifying a problem is to implement the plan. This involves taking the actions that have been identified in the plan and putting them into practice. Once the plan has been implemented, the next step is to evaluate the results of the plan.

5. The fifth step in the process of identifying a problem is to evaluate the results of the plan. This involves determining whether the plan has been successful in addressing the problem and identifying any areas that need further attention.

6. The sixth step in the process of identifying a problem is to identify any areas that need further attention. This involves identifying the factors that are still contributing to the problem and determining the actions that need to be taken to address these factors.

7. The seventh step in the process of identifying a problem is to implement the actions that have been identified in the plan. This involves taking the actions that have been identified in the plan and putting them into practice.

12.33

ENACTMENT

Sections:

12.33.01 Constitutionality

12.33.01 Constitutionality

If any article, section, subsection, paragraph, sentence, clause or phrase of the Zoning Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of the Zoning Ordinance.

The City Council of the City hereby declares that it would have enacted the Zoning Ordinance and each article, section, subsection, paragraph, sentence, clause and phrase thereof irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.



C124915461